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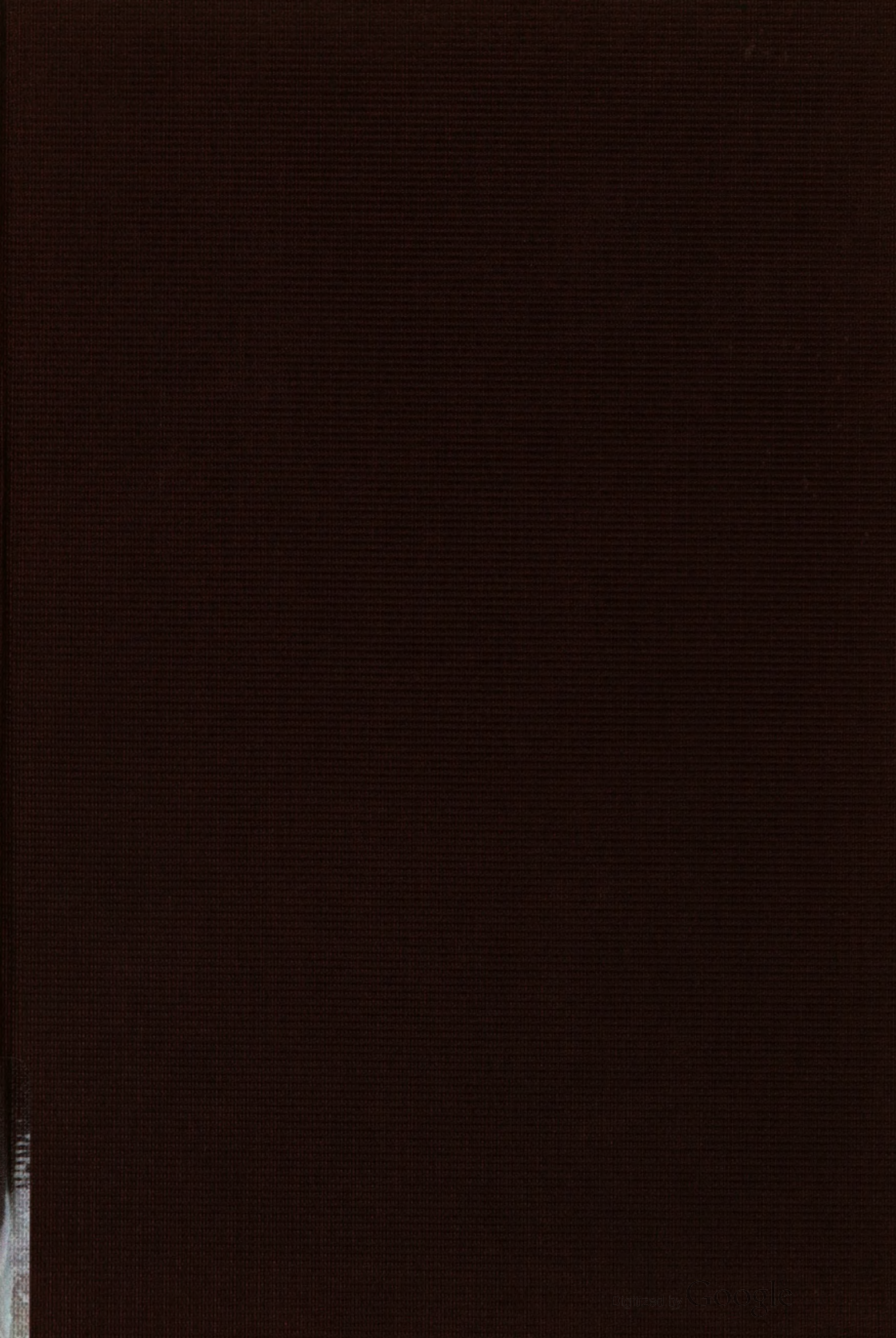
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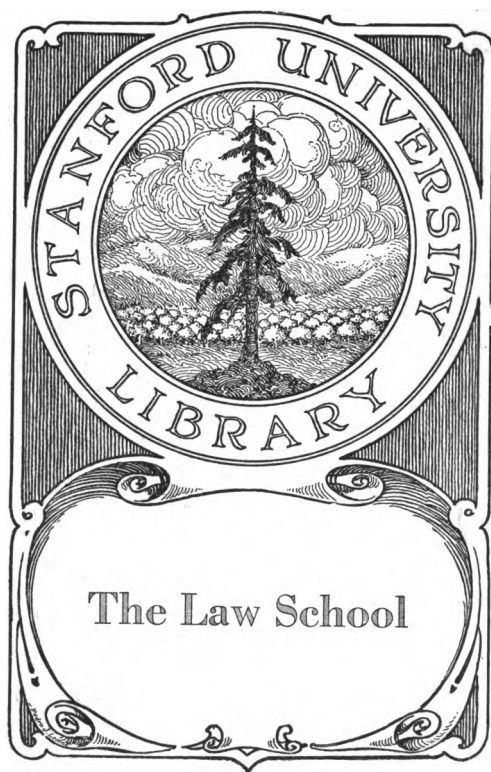
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PROCEEDINGS
OF THE
TWENTY-FOURTH ANNUAL MEETING
OF THE
Indiana State Bar Association

HELD AT
INDIANAPOLIS, INDIANA
July 7 and 8, 1920

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OSCAR H. MONTGOMERY.

Indiana State Bar Association

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1920-1921.

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Vice-President.....Charles M. McCabe, Crawfordsville
Secretary.....George H. Batchelor, Indianapolis
Treasurer.....Elias D. Salsbury, Indianapolis

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PROCEEDINGS
OF THE
TWENTY-FOURTH ANNUAL MEETING
OF THE
Indiana State Bar Association
HELD AT
INDIANAPOLIS, INDIANA,
JULY 7 AND 8, 1920.

FIRST DAY.

WEDNESDAY, July 7, 1920.

The members of the Indiana State Bar Association met at the Country Club, Indianapolis, Indiana, at two o'clock p. m., on Wednesday, July 7, 1920, in Twenty-Fourth Annual Convention, and were called to order by President Oscar H. Montgomery, Esq.

PRESIDENT MONTGOMERY: The members of the Association will please come to order.

The first order of business is the report of the Committee on Membership. Is the Chairman of that Committee ready with the report?

MR. JAMES M. OGDEN: Mr. President, your Committee on Membership begs leave to present the following report:

INDIANAPOLIS, IND., July 7, 1920.

To the Indiana State Bar Association:

Your Committee on Membership begs leave to report that it has received the applications of the following members of the bar of the State of Indiana for membership in the Association; and your committee recommends the election of all of them:

William P. Evans, Indianapolis
 Clarence E. Weir, Indianapolis
 Garth B. Melson, Indianapolis
 Frank A. Symmes, Indianapolis
 David E. Watson, Indianapolis
 Humphrey C. Harrington, Indianapolis.
 Paul T. Rochford, Indianapolis
 Harvey J. Elam, Indianapolis
 William R. Harryman, Indianapolis
 T. Harlan Montgomery, Seymour
 John C. Branaman, Brownstown
 Thomas H. Branaman, Brownstown
 J. Ross Robertson, Brownstown
 Felix Blankenbaker, Terre Haute
 Emmet R. Fertig, Noblesville
 Clarence M. Brown, New Castle
 Elza O. Rogers, Lebanon

John Ralph Carney, Vernon
 Martin Luecke, Ft. Wayne
 Cecil Carson Tague, Brookville
 Thomas H. Stradley, Jeffersonville
 Charles A. Hunt, Jeffersonville
 Claude B. McBride, Jeffersonville
 Jonas G. Howard, Jeffersonville
 James L. Bottorff, Jeffersonville
 George C. Kopp, Jeffersonville
 James E. Taggart, Jeffersonville
 J. C. McKillip, Charlestown
 John F. Engelke, Indianapolis
 M. F. Bohland, Batesville
 James A. Cox, Crothersville
 John T. Keeseey, Indianapolis
 Walter H. Linn, Crawfordsville
 Willis Hickam, Jr., Spencer
 Albert B. Wycoff, Batesville
 John G. Reidelbach, Winamac
 Robert H. Williams, Crawfordsville

COMMITTEE ON MEMBERSHIP,

JAMES M. OGDEN, Chairman.

It was moved that the report of the Committee on Membership be received, approved and placed on file.

The motion was seconded, and prevailed.

PRESIDENT MONTGOMERY: Those whose names appear in the report of the Committee on Membership are declared elected as members of this Association, and will be so recorded upon the roll.

Is there anything further from the Committee on Membership?

MR. OGDEN: Mr. President, we have received the following letter from Enoch D. Hogate, of Bloomington:

BLOOMINGTON, IND., June 21, 1920.

MR. ELIAS D. SALSBURY, *Treas.*,
Indianapolis, Ind.

Dear Sir:

Enclosed I hand you my check for \$5.00 in payment of annual dues.

As my state of health is such that I can never get to the Association, I ask you to put the wheels in motion that I may be made an "honorary member."

I was a charter member of the Association and signed the articles on the day the affair was launched. I am 71 years old, and was in active practice from 1872 to 1903. Then I came to I. U. Law School and have been here since. Whatever the process is for getting on the honorary list, please put it in motion.

Truly yours,

ENOCH G. HOGATE.

Your Committee on Membership recommends that Enoch G. Hogate be placed upon the roll as a life member of this Association, without the payment of dues.

PRESIDENT MONTGOMERY: Gentlemen, you have heard the report of the Committee on the proposition of putting

Enoch G. Hogate on the honorary list. What is the pleasure of the meeting with reference to that matter?

JUDGE E. W. FELT: Mr. President, I move that the recommendation of the Committee be approved.

The motion was seconded, and prevailed unanimously.

PRESIDENT MONTGOMERY: Is there anything further from the Committee on Membership?

MR. OGDEN: Mr. President, the Committee presents the application of the Indianapolis Bar Association, to become affiliated with this Association, the application being as follows:

June 28, 1920.

MR. GEORGE H. BATCHELOR,
State Life Bldg., Indianapolis.

Dear Sir:

The undersigned, Indianapolis Bar Association, hereby makes application to become affiliated with the Indiana State Bar Association.

The name of this Association is Indianapolis Bar Association.

The object of this Association is the study and development of the law as a science, to elevate and maintain the dignity of the profession, to cultivate social intercourse among its members, and to increase its usefulness in promoting the due administration of Justice.

The number of members of this Association is 277 resident members and 13 non-resident members.

Yours truly,

INDIANAPOLIS BAR ASSOCIATION.

WM. P. KAPPES, *President.*

ALLAN VESTAL, *Secretary.*

PRESIDENT MONTGOMERY: You have heard the reading of the application of the Indianapolis Bar Association, to become affiliated with this Association. What is your pleasure?

JUDGE VINSON CARTER: Mr. President, I move that the application be received and approved, and that the Indianapolis Bar Association become affiliated with this Association.

The motion was seconded, and prevailed.

PRESIDENT MONTGOMERY: Have you anything further, Mr. Ogden?

MR. OGDEN: That is all, Mr. President.

PRESIDENT MONTGOMERY: The next matter in order is the address of the President. My theme is "Ourselves and Our Work," under the title "The Good of the Order."

(For President's Address, see page 69.)

PRESIDENT MONTGOMERY: The next in order is the report of the officers. Is the Secretary ready to report?

SECRETARY BATCHELOR: Mr. President, the Secretary has no report to present, except to state that the Grim Reaper has been exceedingly busy among the members of this Association, this year, and the Secretary has been advised of the death of the following members:

Ralph Applewhite, Brownstown.
 Allen Boulds, W. Lafayette.
 Jackson Boyd, Greencastle.
 Edgar D. Crumpacker, Valparaiso.
 Edward Daniels, Tipton.
 Phillip Frey, Evansville.

Edwin P. Hammond, Lafayette.
 Lawson M. Harvey, Indianapolis.
 Ernest R. Keith, Indianapolis.
 George H. Koons, Muncie.
 Stewart T. McConnell, Logansport.
 William C. Purdum, Kokomo.
 William A. Roach, Delphi.
 Samuel M. Sayler, Huntington.
 Isaac E. Schoonover, Covington.
 John G. Williams, Indianapolis.

PRESIDENT MONTGOMERY: Those names will be referred to the Committee on Necrology, and proper Memorials will be prepared for the Proceedings. The next will be the report of the Treasurer.

TREASURER SALSURY: Mr. President, the Treasurer's report is as follows:

TREASURER'S REPORT.

Indianapolis, Indiana, July 7, 1920.

To the Indiana State Bar Association:

Your Treasurer begs leave to make the following report:

The Treasurer stands charged with balance on hand as shown

by last annual report of July 9, 1919-----\$2,521.56

1919

July 10	Collected for Luncheons and Dinners-----	105.00
	Dues collected during the year as per itemized statement -----	2,492.00
	Interest on deposits-----	19.30
	Interest accrued on bonds-----	21.20

Total interest for year -----\$ 40.50

Total with which I am chargeable-----\$5,159.06

As Treasurer I have expended the following amounts:

1919 Check No.			
July 10	276—Benj. F. Bledsoe, annual address expense	_____ \$	230.00
July 23	277—The Country Club, expenses luncheons and dinners	_____	1,130.35
Aug. 22	278—Walter N. Carpenter, reporting annual meeting	_____	57.50
Sept. 3	279—E. D. Salsbury, on salary as Treasurer	_____	25.00
Sept. 30	280—Harrington & Folger, letterheads, etc.	_____	6.25
Sept. 30	281—Claypool Hotel, room and cafe for Judge Bledsoe	_____	9.40
Sept. 30	282—George H. Batchelor, on salary and expense	_____	63.50
Sept. 30	283—Postage for Secretary	_____	5.00
Sept. 30	284—Berterman Bros. Co., floral wreath	_____	10.00
Oct. 16	285—Edna E. Stewart, stenographer for Secretary	_____	25.00
Oct. 17	286—E. D. Salsbury, on salary as Treasurer	_____	35.00
Nov. 8	287—Gladys Halsey, stenographer for Treasurer to November 1	_____	18.00
Nov. 29	288—E. D. Salsbury, on salary as Treasurer	_____	20.00
Dec. 12	289—B. H. Herman, framing membership certificates	_____	201.64
1920 Check No.			
Jan. 5	290—George H. Batchelor, secretary, on salary, telephones, etc.	_____	64.10
Jan. 5	291—Edna E. Stewart, stenographer for Secretary	_____	25.31
Mar. 25	292—E. D. Salsbury, on salary	_____	70.00
Mar. 25	293—R. E. Springsteen, postage for Treasurer	_____	20.00
Mar. 25	294—Harrington & Folger, 1,000 gummed labels	_____	6.75
Mar. 25	295—Harrington & Folger, on printing of annual report	_____	400.00
Mar. 27	296—A. A. Letter Shop, notices to members for Treasurer	_____	8.00
April 21	297—Frances Fuller, stenographer for Secretary	_____	25.00
April 21	298—George H. Batchelor, postage for Secretary	_____	5.00
April 21	299—George H. Batchelor, on salary and postage	_____	63.50
April 22	300—Harrington & Folger, balance printing annual report	_____	626.62
April 22	301—Harrington & Folger, 2,000 envelopes for Treasurer	_____	14.50
June 14	302—Harrington & Folger, 750 membership cards	_____	11.00
June 18	303—R. E. Springsteen, postage for Treasurer	_____	20.00
June 30	304—George H. Batchelor, salary to July 1, 1920	_____	62.50
June 30	305—A. A. Letter Shop, notices, etc., for Treasurer	_____	5.25

June 30	306—T. A. Randall & Co., clerical work for Secretary -----	23.50
June 30	307—Frances Fuller, stenographer for Secretary to July 1 -----	20.00
July 5	308—E. D. Salsbury, balance salary as Treasurer to July 1 -----	50.00
July 6	309—John C. Chaney, expense chairman Grievance Committee -----	22.50
Total disbursements during year -----		<u>\$3,380.17</u>

RECAPITULATION

Total with which I was chargeable at last report -----	\$2,521.56
Luncheons and dinners at last meeting -----	105.00
Dues collected during year -----	2,492.00
Interest on deposit for year -----	19.30
Interest on bonds -----	21.20

Total with which I was chargeable during year -----	\$5,159.06
Total disbursements during year -----	<u>3,380.17</u>

Total with which I am now chargeable -----	\$1,778.89
Have on deposit at Security Trust Co. subject to check -----	1,247.59
Have in safety deposit at Security Trust Co., ten Fourth Liberty Loan 4¼ Bonds, Nos. 5,001,607 to 5,001,616, inclusive -----	500.00
10 Overdue coupons @ \$1.01 each on bonds -----	10.10
20 Overdue coupons @ \$1.06 each on bonds -----	21.20
Total -----	<u>\$1,778.89</u>

ELIAS D. SALSBUURY,
Treasurer.

TREASURER SALSBUURY: Mr. President, I move you that a committee be appointed, to which this report may be referred.

The motion was seconded, and prevailed.

PRESIDENT MONTGOMERY: I will appoint as that committee Mr. Charles W. Miller and Judge Moran.

The next order of business is a paper on the subject of "Organization." The Association is pleased to present to you, as the author of this paper, Mr. Roscoe A. Heavilin, of Marion, and I now have the privilege and pleasure of introducing him to you. (Applause.)

MR. ROSCOE A. HEAVILIN: Mr. President: It would seem that I need no introduction, as I have been coming to these meetings of the Association for the last twenty years, and the boys used to say, "If Heavilin isn't there, there will be no meeting of the Bar Association."

I want to state to you at the outset, that there will be no attempt to lay down a plan of organization. An attempt to suggest a plan for organization of this Association, judging by past experience, would be of no avail, and it would have the effect to create a turmoil almost equal to that of Chicago and St. Louis.

Emerson once said, "If I know your creed I can anticipate your argument."

My creed is "Organization," and I am going to talk to you for just a short time on that subject.

(For Mr. Heavilin's paper, see page 78.)

PRESIDENT MONTGOMERY: The reports of committees are now due. Is the Chairman of the Committee on Jurisprudence and Law ready to report? Charles W. Moores is the Chairman of that committee. The Committee on Legislation, Mr. Gus Condo, Chairman? The Committee on Legal Education, Judge Wiley, Chairman? The Committee on Grievances, John C. Chaney, Chairman?

MR. JOHN C. CHANEY: Mr. President, the Committee on Grievances has had before it the question of the unprofessional conduct of a member of the Bar of the State of Indiana.

The charges preferred against this member of the Bar are of such a nature and character, and the situation of the proofs relating to it is such that it was very difficult for the Committee on Grievances to get hold of the real facts in the case, and the evidence that led to it. We were also somewhat troubled by the fact that it is difficult to get the Committee on Grievances together to give the matter consideration. We made two attempts to get together and finally succeeded in getting together this morning.

I do not know that in the report that I make I should name the lawyer who has been charged with this misconduct. However, I will state to you the general proposition, and the conclusion to which the two members of the Committee who gave enough consideration to it to determine whether there should be charges and a formal calling of the Committee together to try the case.

Back yonder in 1906 an account for collection was sent to this lawyer, amounting to something like three hundred dollars. Or, rather, prior to the time that our brother lawyer had anything to do with the case, this account was sent to a collection agency in Salt Lake City, Utah, which undertook to make the collection, and sued the debtor upon the claim, and got judgment. After the judgment had been secured the debtor moved, and to the lawyer in question, came the transcript of the judgment, for collection, and this lawyer claims to have been authorized to make a settlement of the case for eighty-five dollars; that after he received the authority to settle the case for eighty-five dollars he made the collection and took out of the amount of money collected, his fee of twenty dollars, and the necessary expenses of it, and transmitted the money thus collected, directly to the client who had sent the collection over to the firm at Salt Lake City, Utah. On his explanation of that matter to the Committee the Chairman of the Committee invited him to produce the receipt for the money that he had transmitted upon the collection. He felt

sure that he could find it, and made a search of his books and records, but was never able to find his receipt for the amount of money that he claimed to have remitted. He came before the members of your Committee, who were examining the matter with a view to prosecution, and stated the loss of the papers and explained how it came that the papers were lost. He testified to the Committee that he had actually made the collection under authority, and had transmitted the money, and he said that he had afterwards seen the check, endorsed by the client to whom the money was paid, but was unable to produce the check, or a receipt, and was unable to produce his authority for making the settlement for eighty-five dollars.

This man stands well as a lawyer. He has never been a member of the State Bar Association, at all. It was, therefore, questionable whether the State Bar Association ought to undertake to investigate the charges against him. Yet, under our rules and regulations, our authority extends to the examination of any lawyer of the State of Indiana, a member of any of the Bars of the State of Indiana, on any such charge as that, or any other unprofessional conduct.

There is no proof of the failure of this lawyer to transmit this money. There is no proof that he did not receive authority to compromise the case for eighty-five dollars. There are some letters that passed back and forth between him and these various associations out West, and his explanation is made as to the loss of those papers.

Now, that is a very serious charge to be made against a brother lawyer, of course. It was away back yonder in 1906, when the matter started, and it has drifted along all these years, more or less active, through various correspondence that has been had, and owing to the fact that this lawyer is not a member of the State Bar Association, and owing to the fact that it is a very difficult thing to get at the actual truth of the matter, on account of any

real evidence that would be admitted, and the further fact that the lawyer declares upon his honor as a lawyer, that he made the collection, and the further fact that the agency that is invoked to push the prosecution against this brother lawyer of ours, is one of those agencies, or concerns which undertakes to collect what lawyers cannot collect, or what banks cannot collect, by threatening with some sort of penalty, the delinquent, because of his failure to respond to their demand for payment—taking all these things into consideration, your Committee, consisting of Judge Thompson and myself, came to the conclusion that it is not such a case as ought to be considered by the Indiana State Bar Association.

Another thing that moved us to this conclusion was: What would be the result of it if we would try the case and actually find this lawyer guilty? What would we do with the judgment that we would pronounce? Where would it be executed? What would it amount to? Would we make a report finding this lawyer guilty, and send it to the local Bar Association, for their information, and upon which to base charges for disbarring him?

And so, taking all these things into account, we feel that it ought not to enter into our record, unless there is something definite done, feeling that it is so uncertain that we ought not to name the lawyer to his discredit, for we were rather impressed with the man's sincerity.

This lawyer is now fifty-eight, a practitioner of some thirty-five years' standing, honorable and upright, as testified to by several of his brother lawyers from that Bar.

Taking all these things into consideration, we thought we would make this oral report, in which we would recommend that this case be not tried before the Committee, and that it be not entered of record in our Proceedings.

We will put this report in writing, if it is considered necessary that it should be done.

PRESIDENT MONTGOMERY: I would like to make an inquiry—how was this matter brought to the attention of the Committee?

MR. CHANEY: The collection agency sent the correspondence and the statement about it to Judge Montgomery, of the State Bar Association, and he referred it to me, as the Chairman of the Committee on Grievances.

PRESIDENT MONTGOMERY: Gentlemen, you have heard the report of the Committee. Is there any action deemed necessary?

JUDGE PLINY W. BARTHOLOMEW: Mr. President, I move that the report of the Committee be received and approved, and that no minutes, except a general statement of the report of the committee, and its approval, be entered upon our minutes.

The motion was seconded.

MR. WM. A. KETCHAM: Mr. President, as a substitute for that motion, I move that the Committee be discharged from further consideration of the case upon which they have made the report—a kind of a report. There has been no report. We could not put that report into our record, and, evidently, there is nothing to be done about it. So I move that the Committee be discharged from the further consideration of the case.

The motion was seconded.

JUDGE BARTHOLOMEW: The record ought to show, Mr. President, that the Committee made an oral report, and a general statement ought to be made about the matter.

PRESIDENT MONTGOMERY: The motion before the meeting is that the Committee be released and discharged from further consideration of the matter.

JUDGE BARTHOLOMEW: That was not my motion, Mr. President.

PRESIDENT MONTGOMERY: Well, the substitute motion is before the meeting.

COL. CHARLES L. JEWETT: Mr. President, I have really nothing to say relative to the case, and so I suppose I am out of order. But I was once President of this Association, and here is a little thing that I heard yesterday, that seems to be pertinent, and I just want to ask the consensus of opinion of those here, as to whether that matter ought to be brought before the Association.

I am inclined to think that the Association went pretty far in taking up this matter. I understand that this complaint comes before this Association from one of these concerns that threaten dreadful things to debtors, about courts, etc., when it is a bill, or claim, that probably never did have any validity. Well, this occurred yesterday, in my office. We don't have any collections in that office. No collections come to a lawyer, any more, that haven't been frayed at all the edges, through express companies and collection agencies, and all that. So we don't expect them. I throw them into the waste basket, but my partner is a little more considerate and wastes postage sending them back. But yesterday the representative of a great institution—Martindale's Legal Directory—was in my partner's, Mr. Bulleit's, room, going over and taking the temperature of the Floyd County Bar, and he explained to me the meaning of certain letters and figures that are used in that publication, except that he didn't explain to me the ones that were behind my name! He gave the ability and liberal estimates of the financial standing and property of the lawyers of Floyd County. Well, he came to one name, and Mr. Bulleit, who was giving him a very fair and liberal estimate of all our fellow sufferers down in Floyd County,

and he said, "Now, as to that man, I want to explain to you about him. He is a young man who came into the profession strictly under the provisions of the Constitution of Indiana (laughter) and not otherwise!"

We don't have collections in our office, for the simple reason that we can't collect. But there came a claim into our office, and as we had a young man in town without cases, I turned it over to him, and wrote to the people that I had done so. After while I got a letter from the sender of that claim, stating that the debtor had produced a receipt from this young lawyer showing payment, and, of course, I was somewhat bored. I had recommended the young man, and they wrote to me, in effect, that since he wouldn't turn the money over to them I ought to make it good! (Laughter.) Well, Mr. Bulleit didn't receive that suggestion with any enthusiasm, whatever, and so he explained it to the Martindale Directory representative—now, this was yesterday afternoon, remember, so that this is a fresh story! These seemed to be the facts. He said, "Now, it seems that that young man did this—he has explained it thoroughly to me—he had a case, and there was a scamp of a doctor up in the adjoining county—who, by the way, was this debtor—so he arranged with that doctor that if he would come down and give some very liberal and convincing testimony on the trial in New Albany, in favor of this damage suit—which he did, he said (laughter), I beg you to believe that this is literally and absolutely true. My gray hairs may lead you to think that I don't remember things very well, but this occurred only yesterday afternoon! He said, "I told the doctor that if he would do that I would take care of this claim that I had against him," and he made the point that although he gave a receipt he had not actually collected the money. (Laughter.)

Now, I think that if this Committee would render a report on that hypothetical case, it would go far to settle the whole matter. The question is, Did the young lawyer—he is not

a member of this Association—collect the money? (Laughter and applause.)

PRESIDING MONTGOMERY: The argument of Colonel Jewett seems very convincing, and if there is no further testimony, all those in favor of the motion will make it known by saying "Aye"; contrary "No." The ayes have it, and the Committee is discharged.

JUDGE R. W. MCBRIDE: Mr. President, Col. Jewett's argument on the case to which we have just been listening, reminds me of an incident that occurred a great many years ago, Horace Greeley had a claim against some one in Denver, and he was given the name of a lawyer to send it to, for collection. He sent it out, offering to give the lawyer fifty per cent. if he succeeded in collecting it. He didn't hear from it for a long time, and finally he wrote to the lawyer, who very promptly answered that he had succeeded in collecting his half of the claim, but the other half was not collectible. (Laughter and applause.)

PRESIDENT MONTGOMERY: Has the Entertainment Committee any report to make? Mr. Edward Fitzpatrick is the Chairman of that Committee.

MR. EDWARD FITZPATRICK: Mr. President, and Gentlemen: It just seems to me that the report of the Entertainment Committee will be best understood when we are seated at the banquet table tonight. (Applause.)

I think your Committee has arranged for not only the best entertainment for the inner man, but, with the help of the Secretary—who has actually done all the work, and all of the planning—it has been made the best arranged affair that we have ever had in all our twenty-four years of history. (Applause.)

COL. JEWETT: Do you contemplate any violation of the Volstead Act? (Laughter and applause.)

PRESIDENT MONTGOMERY: There was a Special Committee on Publication and Sale of Indiana Reports, of which Mr. Elmer E. Stevenson is Chairman. We will be glad to hear from that Committee, now.

MR. ELMER E. STEVENSON: Mr. President and Members of the Indiana State Bar Association: Your Committee begs leave to submit the following report:

INDIANAPOLIS, IND., July 7, 1920.

To the Indiana State Bar Association:

Your committee appointed to investigate the cause of the delay in publishing the reports of the Supreme and Appellate Courts of Indiana and to remedy any unnecessary delay, if possible, begs leave to report as follows:

1. The members of your committee have had conferences with various persons whose duty it is to prepare for publication and publish these decisions, including the reporter of the Supreme Court and his deputies, the different contractors for printing and binding these reports, and the commissioners of the public printing. It has been difficult to ascertain the real causes why these reports have not been printed and published sooner; and some disposition has been shown to pass along to others the responsibility for the delay. Your committee has become convinced that the delay is not wholly traceable to any one thing, but to a combination of things.

2. There has been an improvement in the matter of publishing the Supreme Court reports. Since the publication and delivery to the office of the commissioners of public printing about five weeks ago of volume 187, we have been assured that volume 188 is also printed, and is now passing through the bindery and will be delivered by the first of next month or earlier. The publication of these volumes will leave less than enough unpublished opinions of the Supreme Court to make another volume.

3. The company which now has the contract for printing the Supreme and Appellate Court reports assures your committee that it can publish three or four volumes of the Appellate Court reports

this year if copy is furnished. The reporter and his deputies assure us that they can and will furnish copy for all that the state printer can publish. If this should be done, according to promise, it will bring the Appellate Court reports almost up to date. Volume 65 of the Appellate Court reports is said to be almost ready for delivery now. Work has been under way on volume 66 for some time, we are told; and the reporter states that the manuscript for volume 67 is prepared and being sent to the printer. But whatever improvement there has been in the matter of publishing the Appellate Court reports, it has not yet advanced to the point of actual delivery of the printed volumes.

4. The publication of these reports has been falling behind almost ever since the beginning of the great World War. In that period many things have been demoralized, the cost of print paper, wages and other expenses have multiplied; and your committee is not sure but that some of the delay has been excusable. But we feel that the delay ought not to continue longer, and that the war cannot afford an excuse for future delays.

5. The company which now has the contract for printing these reports had the contract from about December 1, 1915, to December 1, 1917; and even then the dates of publication fell some months behind what had been accomplished in earlier years. In later years there has not been much, if any, improvement. As time went on the reporter delayed sending manuscript to the public printer, saying that it was useless to send away manuscript when nothing was done toward printing what had already been sent. The printer says, on the other hand, that copy and proofs were not furnished fast enough for the way he wanted to do the work, in the two years from December, 1917, to December, 1919. It seems that each printer undertakes to some extent to do this work at times when he does not have more profitable work on hand, and both printers that have had the contract insist that the price paid by the State does not cover the cost to them, unless the work is done in that way. Whatever excuse the reporter may have had in the past for assuming that his manuscript would not be put in type promptly and returned to him would seem to be now no longer valid, if the assurance given by the state printer are to be accepted.

6. The contract of the present state printer was entered into about December 1, 1919. The first copy was given to it by the reporter January 8, 1920; and it furnished the reporter the first proofs in the latter part of March, 1920. The reporter says that he was advised that the manager of the printing company stated that the

company could not be prepared to do any work on the reports until about April 1, 1920, but the manager denies saying anything of the kind. Co-operation between the reporter and the printer might well result in much greater promptness on the part of both, now that the work is more satisfactorily under way.

7. One reason assigned for delay is the withholding of copy for one volume of reports until the preceding volume is so far advanced that it can be known exactly which of the opinions will go into the new volume, so that the manuscript may be prepared for breaking the type into pages before proofs are sent. But it seems to the committee that by sending the first proofs in galleys' all necessity for delay on this account could be eliminated.

8. When urged to greater promptness the reporter says that he is unable to do more until the printer shall set the type and send him proofs more promptly; and the printer, in turn, says that he cannot do better until furnished more promptly with copy. We believe that each could improve on the past, and that more vigorous efforts on the part of each would have a wholesome effect on the other. As stated above, each has promised to do his utmost and conditions are visibly improving.

By way of remedy, we believe that the reporter should put into the hands of the state printer the manuscript of opinions ready for publication to the point of taxing the printer's capacity, or of demonstrating that it will not do the work when furnished to it. If the printer shall then keep up its part of the work, as it now claims to be able and ready to do, the difficulty will be solved. If it does not, it will be easy then to place the blame. Your committee believes the reporter should have the active co-operation and support of this association, if necessary, to hasten the publication of the reports. We further believe that the state printer should speed up production to the point of doing promptly all work furnished it by the reporter, so that if the reporter shall continue to furnish manuscript promptly, as he says he will, there will be no further delay. If the printer is then compelled to wait on the reporter for manuscript, there can be no difficulty in fixing the blame. The Association should likewise co-operate with the state printer to hasten the work.

We confess ourselves unable, after listening to the explanations and recriminations of the different parties, to locate with certainty all the blame, but we do not feel that any of the reporters, or any of the printers, under whose management the present condition has come about, has been wholly blameless in the past, and perhaps none of them has been wholly without excuse. Primarily the responsibility

rests with the reporter. He should comply with the law and see that the others do so. The greater part of the delay has been in his office.

We suggest the following specifically by way of remedy.

(a) That the reporter furnish copy to the state printer of opinions and decisions up to a point where such copy shall be placed in the printer's hands in the shortest possible time after opinions are handed down.

(b) That the printer set up promptly all copy received and forward proofs, and thus make manifest its readiness to receive and put into type additional copy when furnished.

(c) That if either shall fail in this regard, either the reporter to furnish copy, or the printer to set up, print and publish the opinions when furnished the copy, drastic action should be taken to compel the delinquent to prompt action, including full publicity as to the cause of the delay thus made manifest by failure of one or the other to perform his public duty.

(d) The outcome of the present assurances of prompter action should be awaited; and if the delay is not remedied within a reasonable time, full publicity should then be given to the facts, so far as they can be ascertained, bearing upon the delay in publishing the reports and its original cause or causes, and the cause or causes for its continuance.

The statute commands that the reports shall be published within six months after the close of the term at which the decisions so reported were rendered (Burns', 1914, section 9318), and that the reporter shall prepare the opinions for publication whenever he shall have enough to make a volume of 700 pages; and that the reports shall be published within ninety days after the opinions necessary to make the seven hundred pages shall have come to the reporter's hands. Your committee believes that whatever may have been the difficulties in getting out books during the World War, the lawyers and the general public of this state have a right to demand that the publication of the reports shall again be made within the time prescribed by law.

Your committee recommends that a committee of this Association shall follow up the work of this committee until prompt publication of the reports is restored, or until it is made manifest that prompt publication cannot be obtained. It is not many years since the reports were being published within the time prescribed by law; and

the Supreme Court reports now are or very soon will be up to date. We should not be satisfied with less than having the Appellate Court reports published with equal promptness.

Respectfully submitted,

ELMER E. STEVENSON, *Chairman.*

Mr. Esarey, one of the members of this Committee, was called west two weeks ago, and, therefore, has not signed the report. Judge Louis B. Ewbank has recently, as you know, been appointed a member of the Indiana Supreme Court, and, therefore, he did not sign the report. So that this report is really a one man report. I would say, however, that the three members of the Committee have met at intervals during the past year, and have acted in harmony in the matter. I, therefore, beg leave to submit this report as the report of the Committee.

By way of just a little bit of oral explanation, Mr. President, I wish to say that in view of the fact that two of the members of the Committee were not here, and really were not accessible, I feel that I ought to say this to you, as you have entrusted this work to that Committee, and it is of considerable importance.

Considerable time has been spent, and those who have undertaken to look into this matter before, know some of the difficulties encountered.

We are pleased to report that the work is pretty nearly up, so far as the Supreme Court reports are concerned. So far as the Appellate Court reports are concerned, they are five or six volumes behind in publication. This work has been going on very slowly, and has been getting a little bit worse as the years have gone by.

Let me give you just a few figures to show you what I mean. The Committee has gone through this, and we have talked with the Reporter and his deputies, and have gone to the State Printer, and he has given us the inspection

of all his books. We have looked through these matters to see when copy was furnished to the Public Printer, and to see when the proofs were sent back to the Reporter, and when they were returned from the Reporter to the Printer. When you realize that this copy and these proofs have gone in in batches of from twelve to fifteen for each Report, you will realize how much work it has taken to run this down, and you will also see the possibility for delay. In one volume, if copy is furnished in, say fifteen batches, and if proof is furnished in the same number of batches, back to the Reporter and there are four proofs made, then you will see that a little delay on the part of each one makes a great delay when it comes to the end of the line. That is where some of this trouble comes in, and that is the reason the report is made as it is by the Committee.

But let me refer to a few specific matters; take the sixty-fourth Indiana Appellate, for instance: The first opinion in that volume is of date March 8, 1917, while the last one is of date June 19, 1917. The first copy went from the Reporter to the Printer on September 14, 1918—a year and three months after the last opinion was filed by the Appellate Court. That report was not out for distribution until November 5, 1919.

Let me refer a little bit further to the sixty-fifth Indiana Appellate: The first opinion is dated June 19, 1917, and the last one is dated November 20, 1917. The first copy went to the Printer on May 23, 1919, a year and a half, at least, after the last opinion. The last copy went to the Printer in September, 1919.

In this we find some delay on the part of the Public Printer. For instance, the first copy went to the Printer on May 23, 1919, and the first proof did not get back to the Reporter until November 11, 1919. There is some delay on the part of the Public Printer there.

So, with reference to the Supreme Court reports—we have data showing when the copy went and when the proofs were furnished, and when they were sent back to the Reporter. We have not found that the Judges of the Courts have delayed, in any way, the publication of these reports.

I think it is the practice of the Reporter to let the Judges of the Supreme Court look over their opinions, but we have not found that there was any delay on the part of the Judges of the Court.

The principal difficulty, it has appeared to us, was with the Reporter on account of not prodding the Public Printer—that is, he has not kept after the Public Printer as he should have done. There is where it seems to us the Reporter of this State has fallen down, and is falling down.

I think a little bit of prodding on the part of the Reporter would bring about better results.

We went at this work with this idea in mind, that the Bar Association wants results, rather than to locate the cause of the trouble, and we have the promise from the State Printer and the Reporter—and whether they will be carried out, we do not know—but I have my idea that there will be further delay—that this work will go forward more promptly.

We recommend the appointment of another Committee to follow the work of this Committee, and we are firmly of the opinion, and the Committee was unanimous in this, that if there is no greater progress in the publication of these reports, some drastic action should be taken, and that this Bar Association should have a Committee to look into the matter.

If the fault is in the Reporter's office, then drastic action should be taken there; and if it is in the office of the Public Printer, then drastic action should be taken with reference to the contract with him, and there is a penalty that may

be placed upon him for delaying, and also a forfeiture of the contract. Where things pass through so many hands you realize that it is somewhat difficult to place the responsibility where it belongs.

PRESIDENT MONTGOMERY: Gentlemen, you have heard the report of the Committee. What is your pleasure?

It was moved that the report of the Committee be received, and that the Committee be continued, and thanked for its diligence.

The motion was seconded by Mr. Ketcham.

MR. GRIFFITH D. DEAN: Mr. President, I would suggest that inasmuch as Judge Ewbank is a member of the Supreme Court, another member of the Committee should be appointed in his place.

MR. KETCHAM: I would think, Mr. President, that it would be very proper to leave him on the Committee.

MR. DEAN: I was just following the suggestion made by the Committee.

JUDGE R. W. MCBRIDE: I think, Mr. President, that he should be allowed to stay on the Committee.

MR. DEAN: I will withdraw the suggestion.

JUDGE THOMAS J. BROOKS: Mr. President, I don't know whether this is germane to the matter before the meeting, or not, but I wonder if anybody has inquired why we have a Reporter, and why we have Supreme and Appellate official reports in Indiana, any more? Haven't they gone out of date? Is there any use of them? Who needs to depend upon them? Wouldn't it be just as well for them to come out every two or three years, as to come out so promptly after the decisions have been made?

We all read these decisions in the advanced sheets, and in three or four months we have them in bound volumes. What is the use of the taxpayers' money being put into literature of that sort, that every one of us, who is up to date, has had in his office and read, in the form cited by text books, and by courts all over the country?

Why don't we do away with the useless office of the Reporter, and why don't we do away with this expense, and rely upon first class private enterprises?

I am not here, now, to sell any books for anybody, but I leave it to this assembly, if we are not talking about something that has gone out of date, and is utterly useless?

SECRETARY BATCHELOR: Mr. President: I would like to move, as a substitute for the motion pending, that the present Special Committee be discharged, and that the By-Laws of the Association be amended so as to provide for By-Law No. 13, to read as follows: The President shall, annually, appoint a standing committee on publication of the Reports of the Supreme and Appellate Courts, whose duty it shall be to take such steps as may be deemed necessary for the prompt publication of such Reports.

PRESIDENT MONTGOMERY: Gentlemen, you have heard the substitute motion. Is there any second?

MR. JAMES M. OGDEN: Mr. President, I second that motion.

JUDGE R. W. MCBRIDE: Mr. President, I move a point of order. I do not think that the substitute motion is germane to the matter before the meeting. The motion here is as to the matter of receiving the report of the Committee. I think that after that is disposed of we can take up the matter of amending the By-Laws, later.

PRESIDENT MONTGOMERY: The point of order is sustained, and we will dispose of the motion that is pending.

MR. JOHN C. CHANEY: Mr. President, I would like to ask Mr. Stevenson if, in the course of the investigation that the Committee made, they found that there was any failure on the part of the Reporter to edit the opinions and prepare them for the Printer?

MR. ELMER E. STEVENSON: Mr. President, I thought I called attention to that—that there was a delay of nearly two years in preparing the copy for the Printer, in one instance, on the part of the Reporter of the Supreme Court. The first instance that I called attention to was the sixty-fourth Indiana, for which it was about a year and six months before any copy went into the hands of the Printer.

MR. CHANEY: Has it been the practice of the Reporter to wait until enough matter has been prepared for a volume, before he edits the matter?

MR. STEVENSON: That seems to have been the plan, previously, but there is now enough material in the hands of the Reporter to make five volumes of the published reports. Now, he is not sending those out, until he gets these other preceding reports out of the way.

May I also say that there were suggestions made to the Committee, as a matter of fact, that the offices of the Reporter and Clerk of the Supreme and Appellate Courts should both be abolished, and that the Courts should each select officers to do this work.

MR. W. V. ROOKER: Mr. President: Possibly it was my misfortune that when I was a child I was thrown into a printing office, and learned the trade of the printer, in a lame way, perhaps, but in my years of service in that capacity, I afterwards came into the position known as the night editor of a newspaper.

The night editor of a newspaper is the man who makes the newspaper. He doesn't have anything to do with its

political complexion, or its religion, or its politics, but, like the superintendent of a railroad, who has to get the trains over the road, whether freight or passenger, it is his duty to look after the mechanical execution of the work, in order to produce the paper.

I say to you, now, gentlemen, that this report shows a situation that is simply outrageous. If the Reporter of the Supreme and Appellate Courts is holding back this copy in this manner he is doing a thing that would not be permitted in private employment in a printing establishment, for twenty-four hours. And if that printing establishment is delaying the production of his proofs, that would not be permitted.

I think that this Committee has done a very fine piece of work in this investigation, and I think this motion is right, and this Committee ought to be continued and its arms ought to be strengthened in respect to insisting that these officials do their duty. The people are entitled to have these opinions. They are, to a certain extent their muniment of title, and they are entitled to have them published officially. If we entrust this work to private enterprise, those private enterprises may fail in the course of time, and we would then have a long hiatus in our official reports. That situation does not appeal to me, at all.

I do think that this report has shown—and has shown beyond any chance of controversy—a grave delinquency in the performance of public duty. I should like to see this thing followed up, and if these public officials, whoever they may be, whether the Reporter or the Printer, continue this dereliction I think that they ought to be, at least, exposed to public censure.

I want to give you an idea of what these things mean in printing establishments. In 1884, in the office of the Chicago Daily News, at five minutes before midnight, when the first edition of the paper was ready to go down—and

it had to go down at that time in order to make the fast mail which left over the C. B. & Q., and the Milwaukee and St. Paul for the West, and the Northwest—the word came from the Boston Globe that they had nine thousand words of very important matter—political matter—and as it was in the Blaine-Cleveland campaign, within five minutes after that word was received the paper had arranged for seventeen wires connecting Boston with Chicago, and had procured an order from the Superintendent of the Western Union Telegraph Company that seventeen operators would come from the Western Union office into the telegraph room of the Chicago Daily News, and that that matter should be started over the wire from Boston, in seventeen sections, so that in the aggregate it would all arrive at the same time. Well, that situation required a re-setting of the paper, because nine thousand words meant five columns. No item was to be killed, but the entire paper was to be recomposed in the composing room. Therefore the order went from the night editor not to let any of the printers go, but to spend the dinner hour in re-arranging the paper, and in that time the newspaper was re-built to admit the matter from Boston.

Now, that is the way things are done in the printing offices. I undertake to say that there isn't a first-class printing establishment, on private employment, that would stand for such a situation as Mr. Stevenson has presented here, and I undertake to say that there isn't an editorial room in this state that would allow copy to accumulate until five editions were on hand.

Mr. President, I would like to see this Committee continued, and to see it take steps to require the production of these Reports. (Applause.)

MR. WM. A. KETCHAM: Mr. President, I haven't sufficient language to impress upon this Association what I think of the shameful condition of affairs, not only in the office of the Public Printer, but in the office of the Reporter

of the Supreme Court. I think it is a scandal beyond measure that the West Publishing Company can put into our offices, within a few weeks after an opinion has come down, a full and complete report of what has been decided by the Supreme Court, and by the Appellate Court, when, at the same time, we have to wait two years to hear from our Official Reporter, who must be acting under the obligation of an oath.

I would like to have this motion adopted as it is prepared, unless we can make it a little more drastic than it is now, and I think it would probably be well to amend the By-Law, as has been suggested, in order that the amendment may be brought up and passed upon, if necessary, and Mr. President, I move you with respect to this report, which I wholly approve of—except that I do not think it is quite strong enough—that it be made the Special Order of Business for tomorrow afternoon, immediately following the address of Judge Evans. By that time we may be able to put a little more kick into the motion, and we may have been able to amend the By-Laws so as to get something done.

It is a burning shame that we have to wait two years to find out what our Courts have decided, except as we gain the information from the West Publishing Company. (Applause.)

JUDGE R. W. MCBRIDE: Mr. President, I second the motion made by Mr. Ketcham.

PRESIDENT MONTGOMERY: Gentlemen, you have heard the motion, that the adoption of this report and other matters connected with the report, be deferred, and made the Special Order of Business for tomorrow afternoon, immediately following the address by Judge Evans. Are there any remarks upon the motion?

MR. ELMER E. STEVENSON: Mr. President, may I suggest this—that we think, also of this question: The states of Michigan, Illinois, Ohio, and, I think, Kentucky, publish officially advance sheets of the decisions of their Courts of Appeal. Those advance sheets come out about two weeks after the opinions are handed down. If those states can do that, Indiana ought to be able to do it, also. I think that matter ought to be considered.

I don't know much about the expense of doing that sort of thing, but, of course, it would add to the expense of conducting the state's affairs. However, it seems to me that that may be worth while considering—publishing officially, the advance sheets, as they do in Ohio, Illinois and Michigan. They claim that there isn't much difficulty arising from changes, or substitutions of opinions, and that they can have a headline that is removable, and in that way can keep the plates set up, to be used later in getting the Reports in good form.

TREASURER SALSBUURY: Mr. President: Another thing that should be taken into consideration.

PRESIDENT MONTGOMERY: May I suggest that these last remarks are not germane to the motion? Will you please confine your remarks to the point?

TREASURER SALSBUURY: I just wanted to call attention, Mr. President, to one matter that should be thought of, and that is the fact that in New York and Illinois the official Reports, as published, are on the shelves of the lawyers earlier than the bound volumes of the Northeastern. If that can be done in those states, why cannot it be done in Indiana?

A MEMBER: Mr. President, I am rather surprised that this body of men would have to lay this matter over until

tomorrow afternoon, and spend half an hour in taking it up again. I would like to see action now, Mr. President.

PRESIDENT MONTGOMERY: The question before the meeting is as to whether or not this matter shall be deferred until tomorrow afternoon, as a special order of business? All those in favor of the motion will signify the same by saying "Aye"; those opposed, "No." The motion is carried, and the matter will be deferred and taken up tomorrow afternoon as a special order of business.

Now, gentlemen, we had delegates attending the meeting of the American Bar Association, and among them was General Ketcham, our loyal friend—the noblest Roman of them all—and if he has any report to make we would be glad to hear from him now.

MR. W. A. KETCHAM: Mr. President: You will have to ask somebody else to make that report, owing to the fact that the meeting of the National Encampment of the Grand Army of the Republic was held immediately before, or immediately after the meeting of the American Bar Association, and not being able to attend both of them, and thinking more of the soldiers than I do of lawyers, I went to Columbus, and did not go to Boston. I have, therefore, nothing to report.

PRESIDENT MONTGOMERY: Mr. Merrill Moores was a delegate to the American Bar Association, and if there was anything of interest we would be glad to hear from him.

MR. MERRILL MOORES: Mr. President: I was in Boston, but I haven't very much to report from the meeting of the American Bar Association.

I am a member, also, of the Conference of Commissioners on Uniform State Laws, and was obliged to attend those

meetings, so that I was not able to attend the American Bar Association as often as this Bar should have been represented.

I had also been asked by General Crowder, who felt some embarrassment about going to Boston, to listen to the debate between General Ansell and Judge Bruce, of North Dakota, in which General Ansell undertook to overthrow the Court Martial System of the army, and I wish to report that I heard that debate, as doubtless many of you did, and, in my judgment, Judge Bruce, defending the army against the assault by General Ansell, was triumphant. It was an exceedingly interesting debate, and that the Scotch Judge should be able to beat the General in a debate about an army matter, was not only amusing, but intensely interesting, and when I returned to Washington and reported that to General Crowder he was pleased with the result. Those two matters prevented me from attending the meetings of the American Bar Association as I should have liked to do. The meeting in Boston was a very large gathering, and the various states were well represented.

PRESIDENT MONTGOMERY: In connection with the American Bar Association meeting was held a meeting of the Conference of State and Local Bar Associations, and we had delegates to that meeting. One of our delegates particularly distinguished himself by a suggestion upon a new subject, and a new field of jurisprudence, and he has filed a report in writing with our Secretary, which is somewhat longer than our time will permit to be read, or we would be glad to have it read in full. But the author, who was in charge of the investigation of that question, is present, and I am pleased to call upon him to explain, orally, briefly, what has been accomplished upon that point. Gentlemen, Mr. Wm. V. Rooker.

MR. WM. V. ROOKER: Mr. President and Gentlemen: In the conference of delegates at Boston, Mr. Elihu Root, of

New York, presiding, a question came up with reference to the jurisprudence of the atmosphere as applied to the arts of aeronautics, aerography and aerophony.

There had been some discussion of that question, when I was compelled, by what I thought was a situation that demanded attention, to take the floor, and call attention to the fact that neither the ocean, nor the atmosphere was exposed to geometrical measurement. You cannot fix a corner-stone, nor a boundary line in either the ocean, or the air. Therefore, neither the ocean, nor the atmosphere, is susceptible to allocation. You cannot set off to an individual, in severalty, his interest in either the ocean or the air, and as you can not set off to an individual his portion, so you cannot set off in severalty to an aggregate of individuals, their portion of the ocean, or the air; and, therefore, you cannot establish in either the ocean, or the atmosphere, a state, or a county, or any of those subdivisions of municipal government which must be present if the common law is to function.

It is because of that situation that the admiralty jurisprudence has arisen. Now, while neither of these great bodies is exposed to geometrical measurement, both are exposed to astronomical measurement, and both are exposed to astronomical influences and in this each reflects the laws of motion.

It was my lot, in my young manhood, to become a devotee of the discoverer of astronomy, Pythagoras, who tells us that wherever you have inert substance you have the application of geometry, and wherever you have motion, or force, you have the application of astronomy.

The philosophy of Pythagoras was that government, itself, was a matter of mathematics, and when his philosophy came to be translated into the institutions of Rome, Julian and Claudian said, as did other distinguished Romans, who

were responsible for the empire, that government was a matter of law, and not of men.

We are familiar with the causes that led to the fall of the Roman Empire, but the birth of the Savior heralded the coming of the Christian religion, based on faith, as distinguished from the religions based on philosophy, and the contest between a religion based on faith, and the religions based on philosophy extended through that period which the Church called the Dark Ages, and out of that controversy came what, in history, is known as the Renaissance while that controversy waged science became re-instated, and our Government was born, and in our Government we came to have the true form of government—the government of law, representing philosophy and science, and forces of motion, which we find in the Federal Government, and the Government of the people, by the people, and for the people, which Mr. Webster spoke of in his reply to Hayne, and which Mr. Lincoln made immortal in his Gettysburg address, representing the Government of the States. So we have the two forms of government.

I mention these things because, in our work we took cognizance of the Governments of all the States, and all the departments of the Federal Government, and we received splendid support from the great universities in this matter, and from those great universities, and from other sources, came a protest of caution of the religionists against basing any division of jurisprudence on science.

Now, that caution or protest isn't anything at all, excepting the old controversy that was waged over the question whether jurisprudence should be scientific, or traditional. The jurisprudence of the religionists is the jurisprudence of faith. The jurisprudence of the philosophers is the jurisprudence of science. One is the government of law, and the other is the government of men. We have that personified in the distinction between the Federal Government,

which is a government of powers, and the government of the States, which are governments of the people.

Now, we have that question to determine—whether or not it is safe to repose any division of jurisprudence on science.

Our Committee has not yet made its report. They honored me with the Chairmanship of that Committee, by Mr. Root's appointment, and the other members of the Committee are Governor Baldwin, of New Haven, Connecticut, a great author on international law; Judge Briscoe, for thirty years a member of the court of appeals of Maryland; Mr. Edwin T. Merrick, of New Orleans, and Mr. R. E. L. Saner, of Texas.

I have no right to forecast what that report will be, but it occurs to me, gentlemen, that our fathers gave more for liberty than we have ever given, or than we are giving now, and when they prescribed the orders of government and said that the Federal Government should be a government of powers—of delegated powers—a government of law, and that our States should be governments of men, they prescribed an order which we should follow, and I think that we should say that this jurisdiction is in admiralty, because it represents the laws of motion and of force, and traces its origin to astronomy.

Astronomy furnishes the only criterion by which the aviator can take his position at any time. The question is simply one of mathematics. The research work in it is very interesting. It is simply overwhelming.

Now, as to this investigation I have filed a memorandum report here, but I desire at this time to express my appreciation to Judge Montgomery, Governor Goodrich, and to Doctor Hadley, of Yale, who has been most diligent and constant in his endeavor to settle these great questions right. I also desire to express my appreciation to Leland Stanford

University, and to every university between Leland Stanford and Yale, as they have all helped in enabling us to perform the great duty that is before us.

Judge Montgomery attended one of the conferences at night at the Governor's office, where we had professors of mathematics, and scientists, in conference on this question.

I say this is simply a question of mathematics. I hope that our report will be ready for the Conference of Delegates, which assembles in St. Louis in August.

I should be very glad to have the support of every member of this Association in this work, in making suggestions with reference to it. (Applause.)

PRESIDENT MONTGOMERY: Now, gentlemen, this completes the business of the afternoon.

Our session will commence at ten o'clock tomorrow morning, when there will be some papers read, and in the afternoon, at two o'clock, Judge Evans will make the annual address. The dinner will be served in the dining room at six thirty this evening.

WHEREUPON, on motion, duly made, seconded, and carried, the meeting adjourned until tomorrow, Thursday, July 8, 1920, at ten o'clock a. m.

SECOND DAY—MORNING SESSION.

THURSDAY, July 8, 1920.

The Association met pursuant to adjournment, with the President in the Chair.

PRESIDENT MONTGOMERY: Gentlemen, Mr. H. H. Hornbrook was to have read his paper for us this morning, but on account of the death of a near friend he felt obliged to go to Ohio. He, however, has sent his paper, which is entitled "The Tichborne Case," and has substituted, in his place, to read it to us, one who is well beloved in this Association—Judge Frank E. Gavin, who will now read Mr. Hornbrook's paper.

JUDGE GAVIN: Mr. President, Gentlemen of the Indiana State Bar Association: It is a source of regret to all of us that Mr. Hornbrook, himself, is not here to read this admirable paper. The circumstances, however, were such that duty called him elsewhere, which was a source of regret to him, because of the sorrow that came, and because of the fact that he could not be with you as he had counted upon.

I, of course, am only here to read the paper for him, and in his name I read it as it has come to me.

For Mr. Hornbrook's paper, see page 87.

PRESIDENT MONTGOMERY: I think, gentlemen, that Judge Ewbank would affirm that decision, but he has just stepped out.

MR. WM. A. KETCHAM: Mr. President, I move you that this most interesting paper, regarding this most extraordi-

nary case, be published in its entirety, in the proceedings of this meeting.

The motion was seconded, and prevailed.

PRESIDENT MONTGOMERY: It will be observed, in looking over our audience this morning, that most of the members in attendance are of middle age, or a little beyond. So the Board of Managers has considered itself fortunate in securing one of our younger members to serve us, and he will give us, at this time, a message characteristic of young manhood and success, under the title of "Business Methods in a Lawyer's Office."

I am pleased to present to you Mr. Wilmer T. Fox, of Jeffersonville. (Applause.)

For Mr. Fox's paper, see page 111.

PRESIDENT MONTGOMERY: Gentlemen, that closes our program of the morning.

We will now take a recess until two o'clock, when we will be addressed by Judge Evans.

WHEREUPON the meeting adjourned until two o'clock p. m.

SECOND DAY—AFTERNOON SESSION.

INDIANAPOLIS, INDIANA, Thursday, July 8, 1920.

Two O'clock P. M.

The Association met pursuant to adjournment, with President Montgomery in the Chair.

PRESIDENT MONTGOMERY: Gentlemen, before introducing the speaker of the afternoon I desire to present Mr.

Charles Martindale, who has a word to say to you with reference to the admission of members to the American Bar Association.

MR. CHARLES MARTINDALE: Mr. President and Gentlemen: I wish to say that the Local Council for Indiana, of the American Bar Association, is present here, this afternoon, and if there are any members of the State Bar Association who desire to become members of the American Bar Association their applications can be acted upon promptly. If those who desire to join the Association will, immediately at the conclusion of the session this afternoon, give their names to the Secretary of the Local Council, he will take their application up at once. I am reminded by Mr. Moores, one of the members of the Local Council, that the dues of the American Bar Association are six dollars per year, which includes the quarterly publication issued by the Association.

PRESIDENT MONTGOMERY: Gentlemen, it is needless to say that there could be no subject of more timely concern and more intense interest to the people of our beloved country, than that of naturalizing and nationalizing the alien, and I know of no speaker better qualified to address us upon that subject, and the Association is very fortunate in securing for the annual address, Judge Evan A. Evans, of Wisconsin, a member of the Circuit Court of Appeals for the Seventh Circuit, and it is with much pleasure that I present Judge Evans at this time. (Applause.)

JUDGE EVANS: Mr. President and Members of the Indiana State Bar Association: I accepted the invitation to come here with some hesitancy, and I rather hoped that your President would state all the facts with reference to my acceptance.

It seems that this is a sort of a dark horse year, and I understood that I was a sort of a last chance candidate for

this position. The Secretary very frankly wrote me that another had been selected, but at the last minute had found his engagements such that he could not be here, and they were unable to find, I inferred, anybody else, and therefore, they extended to me this invitation.

I was somewhat hesitant, also, because I understand that the Indiana Bar, at least represented by certain members with whom I am intimately acquainted, and with whom I am associated, are quite frank, and they generally go straight to the point, wasting no time beating about the bush. Therefore, if what I have to say does not take, exactly, I have no doubt the judgment will be the usual frank judgment of an Indiana Court.

When I received this invitation and accepted it, I told a friend of mine that I had received it, and he asked me if I was going to accept. I told him I had already accepted it. He didn't say anything for a little while, and then he told me a story, and, as I stand here, today, looking into your faces, I can appreciate the motive that actuated him in telling me that story. This is about the way it ran: He came from a small town in central Illinois, and they had there a rather famous orchestra, which, on all public occasions, was invited to take part in the entertainment. Among the members was one who played the piccolo, but that was not his only accomplishment, for he loved the flowing bowl, and often appeared much the worse for it. On one particular occasion they were to give a concert in a church, and this man came—using the language that we were familiar with a few years ago—quite tight. As the entertainment began, the leader was somewhat concerned about him, and he had good reason to be, because the spirit of Bacchus did not mingle with the spirit of the music, and the piccolo player ran wild. At the very first break, however, the leader leaned forward and spoke to him about it, and the warning had a salutary effect, but in a short time the piccolo player again rendered some weird sounds, and the

leader again warned him in an undertone, and on a third repetition of the offense, a man arose in the audience and called the piccolo player a son of a gun, and on a further repetition of the wild sounds, a son of Erin got up and said to the priest, who had reprimanded the man for being so rude as to call the piccolo player that name, "Father, I would like to ask you who called the son of a gun a piccolo player?" (Laughter and applause.)

I now appreciate the kindly motive of the gentleman in telling me that story right after I had told him that I had accepted this invitation to speak to you here.

In extending the invitation to me, your Secretary, Mr. Batchelor, sent me the Annual Report of the Proceedings of your Bar Association of last year, and I noticed that all of the subjects that had been discussed were legal subjects. It was, therefore, with some hesitancy that I selected an economic subject, somewhat allied to the legal side, but, nevertheless, a little out of the ordinary, and while I have no apology to make, I appreciate the fact that I am discussing a subject that, perhaps, would be more fitting, or as fitting, before some other gathering.

However, it occurred to me that at present, more than any other time, the problem of the emigrant has been thrust upon us, and it seemed to me that the occasion was ripe for the consideration of this question.

For Judge Evans' address, see p. 125.

MR. WM. L. TAYLOR: Mr. President: We have all listened to this splendid, eloquent, and courageous address, and I now move you that the Indiana Bar Association express its appreciation to the speaker, by a rising vote of thanks.

The motion was seconded, and prevailed unanimously, by a rising vote.

PRESIDENT MONTGOMERY: Judge Evans, the State Bar Association of Indiana extends to you its most hearty appreciation for your masterly address, and on behalf of the Association, I, personally, thank you for coming and giving to us this splendid address on a topic that is of vital concern to us all.

JUDGE JOHN C. CHANEY: Mr. President: I believe that we have now reached the point in judgment and enthusiasm that we could now rule upon the proposition submitted to this Association a year ago, and so shape our Constitution as that the educational system of Indiana would teach to every child between seven and sixteen years of age, the English language.

Instead of acting favorably upon the proposition of amending our Constitution, as submitted by our Committee on Law Reform, a year ago, the question was laid upon the table.

I now move you, Sir, that the Committee on Legislation—since you were not-satisfied with the Law Reform Committee's report—proceed to prepare and submit to the next regular session of the Legislature of Indiana, the necessary amendment to authorize the educational system of Indiana to require the use of the English language in teaching every child between seven and sixteen years of age, in Indiana.

PRESIDENT MONTGOMERY: May I ask you, Judge Chaney, to withhold your motion for a little bit? There was a special order to be taken up at this time, and we will take up unfinished and miscellaneous business after that special order has been attended to.

I would now call the attention of the Association to the special order, which came over from yesterday, being the report of the Special Committee upon the subject of the publication and sale of state reports. The report was made

yesterday, and a motion was made to adopt and concur in the recommendations of the Committee, and to continue the personnel of the Committee, which motion was seconded, and was under discussion.

Are there any further remarks upon that motion?

(Cries of "Question, question!")

All those in favor of the motion will make it known by saying "Aye"; contrary "No." The motion is carried, and the report is adopted, and the Committee will continue its labors for another year.

The next in order is Unfinished Business. I think there was a Committee appointed to audit the report of the Treasurer. They might report at this time—Judge Moran, Chairman.

JUDGE JAMES J. MORAN: Mr. President, and Brother Members: The Auditing Committee has checked the report of the Treasurer, which is rather lengthy, and I want to say that it was checked back with an adding machine, and was found to be correct in every particular. Inasmuch as a motion was left unacted upon, as far as adopting the report was concerned, I think we should now return to that motion, and approve the report, and I so move you, Mr. Chairman.

The motion was seconded, and prevailed.

MR. JAMES M. OGDEN: Mr. President, we have two additional names that we wish to present for membership, and we recommend the election of Willis Hickam, Jr., of Spencer, Indiana, and Mr. Wyckoff, of Batesville, Indiana.

JUDGE PLINY W. BARTHOLOMEW: Mr. President, I move that the report of the Committee be accepted, and that those named be elected as members of this Association.

The motion was seconded, and prevailed.

SECRETARY BATCHELOR: Mr. President, I move you that the incoming President of this Association be requested to appoint three delegates from this Association to the American Bar Association, and two delegates to the National Association of State Bar Associations, both of which meetings will be held in St. Louis, in August of this year.

The motion was seconded, and prevailed.

MR. MERRILL MOORES: Mr. President, as a delegate from this Association to the last meeting of the American Bar Association, I have a matter to report, in which the American Bar Association has, for many years, taken very greatest interest—that is, the matter of simplifying the practice on the law side of the Federal Court. A bill to that effect has been introduced in the Senate and is in charge of Senator Kellogg, and has been there since 1911.

The Committee on Uniform Judicial Procedure, of the American Bar Association, consisting of Thomas W. Shelton, William Howard Taft, Jacob M. Dickinson, Frank Irvine, and Joseph M. Teal, has recommended that each of the State Bar Associations get back of this bill, and help in passing it.

From the report of this Committee, the members of which I have just named, I have only one Section that I would care to read. It is as follows:

"THE ONLY LEGISLATION NEEDED.

"This short bill is all the legislation at present required. To the student and the thoughtful man it is the key that will unlock the door to a new era of scientific judicial relations. The united Bench and Bar will co-operate in first constructing and then in perfecting a simple, correlated, scientific system of rules of procedure and practice. This system of rules should embrace all the merits and none of the vices of both the 'common law' and 'code' pleading. Its

featural merit will be a patriotic effort to administer, instead of impeding justice, by *the lawyer who is now sworn to uphold all procedural statutes, though they obstruct justice*. The Judge will solve procedural difficulties by seeing to it that the case is brought speedily to issue on its merits through suitable amendments to the pleadings. This is the way it is done in Admiralty."

Now, gentlemen, this bill has been approved, and I have here the resolution adopted by the Pennsylvania Bar Association, as I understand it, unanimously. It has also been adopted by the Bar Associations of a number of other states. Here is the preamble, and the resolution adopted by the Pennsylvania Bar Association, and I wish to offer the form of resolution recommended by the American Bar Association, which is as follows:

"WHEREAS, in the year 1911, in response to an ever increasing public demand, The American Bar Association started and has since made an earnest, persistent and organized effort to bring about a more certain, steadier, less expensive and less technical administration of justice in America and to that end modernize and make uniform the procedure of the Courts; and

"WHEREAS, for over eight years there has been pending in Congress substantially the same bills known in the present session as Senate No. 1214, and in the House as H. R. No. 133 intended to vest in the Supreme Court of the United States the power to formulate and put into effect a complete system of rules for the detail regulation of the Federal District Courts; and

"WHEREAS, such a system will prove a model that may be followed by the several States and thus bring about uniformity; and

"WHEREAS, today there exists throughout the country an earnest desire of Bench, Bar and People for immediate

action, as evidence in part by resolutions repeatedly passed; and

"WHEREAS, the Bar Association of the State of Indiana is in entire sympathy with said movement and with the American Bar Association's program, and it is desired to give expression to the same; and

"WHEREAS, There is pending in the Judiciary Committee of the United States Senate a bill known as No. S. 1214, and the identical bill, although unanimously recommended by the Judiciary Committee of the House, has been held in the Judiciary Committee of the Senate for more than eight years;

"Therefore, be it resolved, That the Bar Association of the State of Indiana formally gives expression to its entire sympathy with and approval of the program of the American Bar Association; and

"Be it further resolved, That the Committee on the Judiciary of the United States Senate be and it is respectfully but earnestly requested to make an immediate report in order that a vote may be had in the Senate at this Session; and the Indiana State Bar Association does hereby respectfully and earnestly request Congress to enact into law Senate Bill No. 1214 at the earliest possible moment; and

"Be it further resolved, That a Special Committee, to be composed of one member from each Congressional district of this State, to be named by the President, is hereby created for the purpose of presenting these resolutions to the Congressmen and Senators of this State and to the President of the United States, and otherwise to co-operate with the American Bar Association's Committee on Uniform Judicial Procedure in its campaign."

I move the adoption of these resolutions, Mr. President.

The motion was seconded.

MR. WM. V. ROOKER: Mr. President, I am opposed to these resolutions.

When our fathers established this Government the very highest concern led them to differentiate between the powers of the different departments of the Government, and to put the political power of this Government in the hands of persons who were elected by the people.

The purpose of these resolutions, if adopted, is to lodge judicial power in the Supreme Court of the United States, and enable it to adopt rules of procedure which, heretofore, have been represented in the form of statutes enacted by the people of the States, in respect to law matters in the District Courts of the United States.

I am opposed to transferring the political power to the judiciary. I am opposed to transferring the State power to the Federal Government. These powers have stood as our fathers proposed them, for more than a century. I realize that it is a continued thing for some lawyers in New York, Philadelphia, or Boston, to want to nationalize their practice, and have a code of judicial ethics—I think that is about as much as it can be called—adopted, which would be uniform.

I understand that the American Bar Association has been behind this movement for a number of years, but has not got anywhere with it. It came up at the last meeting, and they didn't get anywhere with it, then. The Proceedings of the American Bar Association show that they made no progress at Boston, in this matter.

There has been a Committee, which has been urgent in this matter, and has done the things which Mr. Moores accurately states, but this situation, gentlemen, is against the traditions of our country; it is against the reasons which underlie our institutions, and I think it is against the welfare of the country, and against the purposes of this country.

I think that our Association would be doing a vain thing in adopting these resolutions. I do not believe that the people of this State are going to turn over to any Court, however much confidence they may have in it, the authority and the right of the people to enact legislation controlling the procedure in any Court.

(Cries of ("Question, question."))

THE PRESIDENT: Are there any further remarks upon the motion? If not, all those in favor of the motion to adopt the resolutions as read, will make it known by saying "Aye"; contrary "No." The ayes seem to have it. The ayes have it, and the resolutions are adopted.

JUDGE JOHN C. CHANEY: Mr. President, I move that the State Bar Association authorize its Committee on Legislation to examine into the matter of Constitutional privilege authorizing the Legislature to require, in this State, an English education in all the schools, and that if that Constitutional privilege is not in our present Constitution, that the Committee propose an amendment to our Constitution, which will give the Legislature that privilege.

The motion was not seconded.

MR. WM. A. KETCHAM: Mr. President: I think that a proposition of this kind ought not to be presented orally. I am in sympathy with the proposition as stated, but before I vote on it, or discuss it, I think the motion ought to be put in writing so that he can read it and we may know what to do about it.

MR. WILMER T. FOX: Mr. President, the matter is not before this Association until the motion is put in writing. Apparently Judge Chaney is preparing to do that, but I want to call attention to a condition, which, in my mind, makes this motion, in its present form, inadvisable. There

is pending before the Legislature a series of very valuable and vital amendments, which will come up before the next Legislature, and I do not understand how any new amendment to our Constitution can come up until those things are disposed of. If action is to be taken on this I think the Committee should report at our next Bar Association meeting, which will be in time for the subsequent session of the Legislature.

JUDGE PLINY W. BARTHOLOMEW: Mr. President: I would like to state, in this connection, that I understand that we have on our statute books, at the present time, a law requiring that the schools be taught exclusively in English. I have not examined that question lately, but I think perhaps that is sufficient. The matter was carefully considered by our last Legislature, and, as I understand it, this bill was passed, and if so, it seems to me that we are in the right shape now, to require the teaching in English in our schools.

I do not understand that this motion was to include the preparing of a Constitutional amendment, because, under the Constitution, the Assembly has absolute control of the educational system of Indiana.

Of course, I am in sympathy with the idea, if there is any necessity for it, but I think that we ought to inquire into the matter before we consider the subject. This is merely preliminary, however.

JUDGE R. W. MCBRIDE: Mr. President: There is another matter upon which, it seems to me, we ought to have some expression from this Association.

Reference has been made to the pending constitutional amendments. Past experience has shown us that it is useless to submit constitutional amendments at a general election. I will relate a personal experience, which I think can be verified by many others here. When the constitu-

tional amendment was pending, concerning the right to practice law, I, with a friend of mine, a lawyer of Indianapolis, who was heartily in favor of that amendment, stood outside of the polling place talking about it. We were both in favor of it, and each charged the other to be sure to vote on that amendment. A few minutes later, when we came out, we both discovered that we had forgotten to vote on that amendment. I think that was the experience of many others, because I have heard others express themselves the same way. We have never succeeded in amending our Constitution in this way.

I, therefore, move, Mr. President, that it be the sense of the Bar Association of Indiana that the pending Constitutional amendments should be submitted to the people at a special election, held for that purpose, and that they be not submitted to a general election.

The motion was seconded, and prevailed.

TREASURER SALSURY: Mr. President: I understand that a Constitutional provision must be adopted by the Legislature elected at one election, and then passed by the Legislature elected at the following election—by two Legislatures, elected at different times, and not by different sessions of the Legislature elected at the same election. So that I believe that under our Constitution the Legislature having been elected, and having held one session, when it is called in special session it has the power to adopt other amendments to go with those already adopted, and then they are to be submitted to the succeeding Legislature, elected at the next election. In view of that I think it would be well, Mr. President, for the lawyers to read the Budget Amendment, as it has been proposed and passed. There is one paragraph in that section of the Budget Amendment, that if any lawyer in the room can tell what was meant by it, I would like to see who he is. That paragraph reads something like this:

"That nothing in this Section shall prevent the Legislature from passing a law under Section so and so, of Article so and so, for the payment of a bill within the protection of Section 10, of Article II of the Constitution of the United States," or something to that effect. Now, what is the meaning of it, I would like to know?

MR. W. A. KETCHAM: What is the President of this Association for? Tell him. (Laughter and applause.)

PRESIDENT MONTGOMERY: I am sitting in a private capacity, now, and as I always get paid for legal advice I decline to answer until I see him privately.

TREASURER SALSBURY: I think, Mr. President, that if this question is to be submitted to the people it ought to be stated what it means, because I don't believe it can ever be passed with that provision in it, and if it is to be passed by the Legislature—if that Budget Amendment is to be passed—they should ascertain whether that should be included in it, and, if it is, it should be changed at a Special Session.

JUDGE CLARENCE E. WIER: Mr. President: Some time ago the Indianapolis Bar Association had up the matter of the increase of judicial salaries for the Judges of Marion County. A Committee was appointed to consider that matter, and I happened to be Chairman of that Committee.

The Committee had two or three meetings, and the consensus of opinion of that Committee was that possibly the same subject matter might come up before this Association, with the idea that this Association would desire to make some expression upon the idea of increasing the Judges' salaries throughout the State.

I know that I do not need to take time discussing the proposition that this is necessary, at the present time, at

least in Marion County. The Judges of the Courts in this county receive five thousand dollars a year—thirty-five hundred from the State and fifteen hundred dollars from Marion County, and if no statewide effort is made in that direction an effort will be made to change the law applicable to Marion County. But, thinking that possibly this Association may desire to give some expression upon that matter, or take some action with reference to a general increase throughout the State, I will submit a motion for the purpose of ascertaining whether or not the Association so desires.

I believe there is a Committee on Legislation, but I am not familiar with the scope of its power. I will, therefore, incorporate in this motion the appointment of a Special Committee.

I move you, Mr. President, that it is the sense of this Association that there should be a general increase in the salaries of the Judges of this State, and that a Special Committee of five persons be named, for the purpose of formulating and presenting it to the next regular session of the Legislature of this State, a suitable bill upon that subject, and to co-operate and urge the passage of such bill.

JUDGE PLINY W. BARTHOLOMEW: Mr. President, I second that motion.

JUDGE CHARLES F. REMY: Mr. President, why not submit that matter to the Committee on Legislation, instead of a Special Committee? That is just a suggestion.

JUDGE CLARENCE E. WEIR: I have been told that that Committee is not very active, is the only thought I had in mind in suggesting a Special Committee.

JUDGE R. W. MCBRIDE: We will have a new Committee on Legislation, to be appointed by the incoming President.

PRESIDENT MONTGOMERY: That change will be made, that the matter be referred to the Legislative Committee, with instructions to prepare a suitable bill, and present the matter to the next regular session of the Legislature of Indiana. All those in favor of that motion will signify the same by saying "Aye"; contrary "No." The motion is carried; Mr. Ketcham voting in the negative.

JUDGE JOHN C. CHANEY: Mr. President, I have my motion reduced to writing now.

Memories of our experiences during the recent war are so fresh in our minds, and especially is it fresh in my mind because of the knowledge gained through the work which I did as a member of the National Service Commission, which gave me an impetus, as we might say, to put into shape some things that might aid in avoiding the conditions which prevailed during the war.

We submitted precisely the figures that were submitted in this paper this afternoon, about the illiterate who were members of the army in the late war, and the number of thousands of men who were unable to understand the commands of their officers when they were drilling down here at Camp Taylor, and at other places. That so impressed itself upon everybody's mind that we ought to be determined to never have such a condition prevail again, and that the English language, which seems to be so important and so necessary to our civilization, ought to prevail, and with that idea, and believing, as the Committee on Law Reform did, that the Constitution did not give the Legislature the privilege of requiring the teaching of English throughout the State, I prepared this motion:

Mr. President, I move you that the Indiana State Bar Association authorize the Legislative Committee of the Association, to investigate the Constitutional privilege granted the Legislature, with respect to the present right of the

Legislature to pass a law requiring all the schools of the State to teach to children of school age, of this State, the English language; and to prepare and submit to the next regular session of the Legislature, such amendment as will give the Legislature such privilege; and that if the Legislative Committee finds that the Legislature now has, under our Constitution, the right to pass such legislation, that legislation to this end be prepared and submitted to the Legislature at its next regular session.

The motion was seconded.

MR. GEORGE O. DIX: Mr. President, I am not quite clear upon the meaning of the resolution, as it was read rather rapidly—whether it is the intention of the mover to provide that the schools be taught in the English language, or that only the English language be taught in the schools.

JUDGE CHANEY: I do not mean to say that no other language shall be taught, but I do mean to say that they shall teach English.

MR. DIX: I think, Mr. President, that what we need, and what we ought to have, and the thought that was presented in the able address this afternoon, is that the schools should be taught in the English language, and it seems to me that the resolution is not plain on that subject. It is the teaching of schools in foreign languages that we want to do away with. There are, in this country, many communities that stand by their foreign tongue, and they have their children taught in foreign languages. I think the resolution should clarify that matter. I am not able to suggest how it shall be clarified, unless it is read again.

JUDGE CHANEY: I would say that it is not the intention to have this legislation limit education. But let it be required that the English language shall be taught, and that

these men and women shall know the language of the Nation in which they live, that they may thereby be able to learn the ways and the traditions and the inspirations of the American Republic, and even though somebody may want to learn the Latin language, or the Greek language—that is all right, but we must certainly have a law requiring the English language to be taught, so that every citizen of the United States shall be able to know the American system of things, through the language of the country.

I did not mean to limit the teaching to the English language, if the pupils want to learn, also, another language, but make it mandatory that they shall learn the English language.

I want to state an illustration here: I was recently a commissioner to the Indiana Presbytery, and attended the general assembly of the Presbyterian Church of the United States, in Philadelphia, where there was a communion of some of the divisions of the church. They took in there some fifteen thousand people who belonged to what was called the Welsh Methodist Church, or the Welsh Calvinistic Church. These people were taken into the Presbytery of the United States with the understanding that they were privileged to use their own language, in any respect that would help them to worship the living God, under the dictates of their consciences, but they were required to make all of their reports in the English language; they were required to submit in the English language, everything that related to the organization of which they were a part. It was, however, not thought worth while that they should not use the Welsh language, especially among those who have now passed the age of sixty years.

Now, the idea I had is this: That the legislation should be so framed as to require the teaching of the English language in all the schools of the State of Indiana. That is my motion.

MR. WM. A. KETCHAM: Mr. President: As far as I am concerned, as at present advised, I think the Legislature has a perfect right to do what is suggested here ought to be done by a Constitutional amendment. But in view of the language of the resolution, or if the Committee thinks otherwise, then we do not have to try to get a Constitutional amendment.

I am just a little bit wary of constantly tinkering with the Constitution, unless we need to, and in this case I don't think we need to, but this resolution is rather noncommittal on that point, and the Legislative Committee can find out about it before they take any action.

I think, Mr. President, that the criticism made by Mr. Dix with respect to this resolution, is a just criticism, and it occurs to me that that criticism may be obviated by a change of one word, and the insertion of one word. As it reads now, it is, "To teach the children of school age of this State the English language." That is vague and indefinite as Mr. Dix thinks it is, and it so seems to me. I think that that vagueness and indefiniteness can be avoided by striking out the word "to" and inserting the word "the," and by inserting between the word "State", and the words "the English language", the word "in", so that the language of the resolution would be as follows: "a law requiring all the schools of the State to teach the children of school age of this State in the English language."

I want the children taught in the English language. I don't want them taught in German or Polish, or anything else but the English language. Their education should be in the English language. So I make the suggestion that there should be inserted there the words "to teach the children of school age in the English language." With that change I am in favor of the resolution.

PRESIDENT MONTGOMERY: Does that change meet the approval of the mover?

JUDGE CHANEY: It certainly does, Mr. President, and I will make that change.

(Cries of "Question, question!")

PRESIDENT MONTGOMERY: All those in favor of the motion will make it known by saying "Aye"; contrary "No." The motion is carried.

SECRETARY BATCHELOR: Mr. President: I did not participate in the discussion which followed the motion made by Judge Weir. Personally, I feel that Indiana does not pay high enough judicial salaries. I am in favor of a general increase in judicial salaries. At the same time I not only feel, but I know that some of the Judges in this State are being paid a good deal more than they are worth, and that there are others who are being paid much less than they are worth. The correct solution of the problem, it seems to me, Mr. President, would be to adopt some method which will insure a uniformity, and a general uplift in the personnel of our judiciary in this State.

Two years ago the Committee on Jurisprudence and Law Reform of this Association, with the concurrence of the Board of Managers, drew a bill for the non-partisan nomination and election of judicial officers, and the Legislative Committee of this Association presented it to the last General Assembly.

That bill provided, in brief, that all Judges should be nominated by petition, and be placed upon a separate ballot at the general election, containing the names of judicial candidates only, and that they be voted upon separately, without party designation of any kind. That bill passed the Senate, but did not get through the House, owing to a lack of time.

I want to move you, Mr. President, that the Legislative Committee of this Association be instructed to prepare and

submit to the next General Assembly of the State of Indiana, a bill providing for the non-partisan nomination and election of judicial officers.

The motion was seconded.

MR. CLINTON A. GIVAN: Mr. President, I happened to be the one who introduced the bill in the House, first, and the bill got gloriously sat upon by twelve lawyers. I was the only lawyer on the Committee who voted to report the bill out favorably. The other lawyers, on Judiciary Committee A, which was made up of thirteen lawyers, every one of them was opposed to the bill, on the ground that they wanted to keep the judicial offices in politics.

I believe, however, that if this thing is presented again the members of the State Bar Association should make it a point to see every lawyer who is elected to the next General Assembly, and try to put the matter before him in such a forcible manner that he will not go to the Legislature with the intention of keeping the judiciary of the State of Indiana in politics.

PRESIDENT MONTGOMERY: Are there any further remarks? If not, all those in favor of the motion will make it known by saying "Aye"; contrary "No." The ayes have it, and the motion is carried.

If this is all the Miscellaneous Business that is to be taken up, the next order will be the election of officers. I will appoint two tellers, Mr. Ogden and Mr. Walker.

Nominations for President are now in order.

JUDGE PLINY W. BARTHOLOMEW: Mr. President, I have the great personal pleasure, on behalf of the Bar Association of Indiana, to place in nomination for President of this Association for the ensuing year, a man whom we have

all known to stand high in our profession, and whom we, in our Association, have honored by electing him Vice-President. I, therefore, take pleasure in nominating Mr. Elmer E. Stevenson for the office of President of this Association for the coming year.

JUDGE JAMES J. MORAN: Mr. President, I second that nomination.

MR. GEORGE O. DIX: Mr. President, I move that the nominations for President, be closed, and that Mr. Stevenson be elected by acclamation.

The motion was seconded, and prevailed unanimously.

PRESIDENT MONTGOMERY: The motion having been carried unanimously, I declare Mr. Stevenson elected President of this Association for the ensuing year.

The next in order is the nomination of the Vice-President.

MR. DAN W. SIMMS: Mr. President, I desire to place in nomination for Vice-President of this Association, Charles M. McCabe, of Crawfordsville.

The nomination was seconded.

PRESIDENT MONTGOMERY: Are there any other nominations?

MR. DAN FRASER: Mr. President, I move that the nominations for Vice-President be closed, and that the Secretary be instructed to cast the unanimous ballot of the Association for Mr. Charles M. McCabe, for Vice-President.

The motion was seconded, and prevailed.

SECRETARY BATCHELOR: Mr. President, the Secretary has cast the ballot for Mr. Charles M. McCabe, for the office of Vice-President of this Association for the ensuing year.

PRESIDENT MONTGOMERY: Gentlemen, Mr. McCabe is declared Vice-President of the Association for the coming year.

The next in order will be the election of a Secretary.

JUDGE JOHN C. CHANEY: Mr. President, I move that the Treasurer of the Association be authorized to cast the unanimous vote of this Association for George H. Batchelor, as Secretary of the Association for the ensuing year.

The motion was seconded, and prevailed unanimously.

TREASURER SALSURY: Mr. President, I have cast the unanimous ballot of the Association for Mr. George H. Batchelor, as Secretary of the Association for the ensuing year.

PRESIDENT MONTGOMERY: The ballot having been cast, I declare Mr. Batchelor elected as Secretary of the Association for the coming year.

The next in order is the election of Treasurer of the Association. Nominations are in order.

JUDGE T. J. MOLL: Mr. President, I place in nomination the present Treasurer, Mr. Salsbury, and move that the nominations be closed, and that the Secretary be instructed to cast the unanimous ballot of the Association for Mr. Salsbury, as Treasurer.

The motion was seconded, and prevailed.

SECRETARY BATCHELOR: The ballot is so cast, Mr. President.

PRESIDENT MONTGOMERY: Mr. Salsbury is declared duly elected as Treasurer of the Association for the ensuing year.

Now, the remaining officers to be chosen, are three members of the Board of Managers. Very important duties devolve upon this Board of Managers, and nominations will now be in order.

MR. DAN FRASER: Mr. President, I put in nomination as one of the members of the Board, Mr. Allison E. Stuart, of Lafayette.

The nomination was seconded.

MR. JAMES M. OGDEN: Mr. President, I place in nomination Mr. Wilmer T. Fox, of Jeffersonville, as another member of the Board of Managers.

The nomination was seconded.

JUDGE R. W. MCBRIDE: Mr. President, I place in nomination Mr. George Dix, of Terre Haute, as the third member of the Board of Managers.

MR. THOMAS E. DAVIDSON: Mr. President, I move that the nominations for members of the Board of Managers be closed, and that the Secretary be requested to cast the unanimous vote of the Association for those named.

The motion was seconded, and prevailed.

SECRETARY BATCHELOR: Mr. President, the ballot is cast for Mr. Allison E. Stuart, Mr. Wilmer T. Fox and Mr. George Dix, as members of the Board of Managers of the Indiana Bar Association for the ensuing year.

PRESIDENT MONTGOMERY: Those gentlemen are declared elected as members of the Board of Managers for the coming year.

Now, gentlemen, I want to say, in conclusion, that I appreciate very deeply the honor that has been conferred upon

me in my election as your President for the past year. I also desire to express my appreciation for the assistance rendered by all the officers, and by the Board of Managers, in the preparation for this Annual Convention.

It will be one of the cherished memories of my life, that I have been permitted to serve in this capacity, and I shall take great delight in meeting with you on similar occasions in future years, and enjoying the great privileges of this Association.

I thank you. This concludes the—

MR. DAN FRASER: Just a moment. I move that a vote of thanks be extended to the officers and those in charge of this Country Club House, for their kindness and courtesy during our meeting here.

The motion was seconded, and prevailed.

WHEREUPON, on motion, duly made, seconded and carried, the meeting adjourned *sine die*.

PRESIDENT'S ADDRESS

The Good of the Order

OSCAR H. MONTGOMERY.

My theme is ourselves and our work, under the title, "The Good of the Order." My purpose is not to promote the prevailing class-consciousness, but only by assembling and reciting a few thoughts and illustrations to justify the dominant influence of lawyers in civic affairs and to vindicate our own esteem for this noble profession.

The ideal lawyer has been painted, as a man with a legal mind, or "a scientific mind with an ethical kink in it," possessed of wide and accurate knowledge, a robust constitution, a habit of persistent and methodical work, a serene temperament, a ready and happy power of expression, an upright, bold and commanding character, and a winsome personality. If we could all attain to this standard and type what a glorious company we should be. But lawyers cannot always have or at all times maintain a serene temperament. Their work involves contentions and rivalries, real and intense, but these seldom result in permanent animosities. Our profession with all its faults is fraternal and generous beyond all others, and in no other is living merit so quickly appreciated or so ungrudgingly accorded its due by contemporary competitors. Man is admonished by scriptural injunction, to suffer not the sun to set upon his anger, and the true lawyer, perhaps unmindful of the text as a practical philosopher fulfills its command. The Saxons of old in the north of England, at the sound of the evening curfew covered the fires upon every hearthstone to conceal their presence from lurking enemies, but for a nobler purpose, the lawyer at each nightfall lastingly covers the embers of the day's struggle and strife.

The brotherhood to which we belong cannot standardize its membership or their achievements. We have learned the truth of the maxim, that the law is a jealous mistress, and exacts unremitting devotion of those who would win her favor; and, the public likewise esteems every lawyer in accordance with his talents, attainments and individual character. No union rule can make equal amongst us either the honors or emoluments flowing from the practice of the profession. There are times when small groups of lawyers gather to consider only the sordid subject of just compensation for services, but generally legal conventions are designed to consider and promote the cause of justice and the welfare of society.

The lawyer is in fact an arm or officer of the court, and his profession no mere trade or calling, but in its larger sense, a department of government, and his functions and duties those of a minister of justice. In order fittingly to qualify for this high station, he should drink deeply of the fountains of knowledge and graze widely upon the fields of learning, for as has been brilliantly and truly said, "sparks of all sciences are taken up in the ashes of the law."

This profession largely shapes and fashions the institutions in which we live, and its work concerns our highest and dearest interests. Life, liberty, property, reputation, the peace of families, the foundations of society, the arbitrations of nations and the jurisprudence of the world are committed to the guardianship of lawyers. The world accepts the work, but often disparages the tasks, and sometimes forgets the workers, and these masterful builders are entombed in their work and forgotten in their tombs. When Talleyrand was sojourning in America, and passing along a street in New York one night he chanced to glance up at the building in which Alexander Hamilton had his office. He saw a shadow upon the curtain revealing the illustrious lawyer at work. On the following day, referring to the incident, this great diplomat said, "Last night I saw one of the wonders of the world,—a man laboring at midnight for

the support of his family who had made the fortune of a nation."

The compensation of lawyers is popularly regarded as exorbitant, but when considered in relation to the extent and value of the interests involved is seldom excessive. The late Senator Hoar once said, "Our profession is not the road to wealth." But there have been instances in these modern days of great speculation and rapid gains, of members of the bar, half lawyer and half speculator, who have acquired vast fortunes. Daniel Webster in his day, as the result of twenty-five years observation, said, that it is the condensed history of most good lawyers, that they lived well, worked hard, and died poor; and this statement is still true.

The sovereignty of this nation is lodged in the collective body of its people, united by instincts of self preservation and ties of a common sympathy. The limitations of our government are prescribed in written constitutions and statutory laws. These constitutions and laws are interpreted, and justice under the law administered to the citizen, through the machinery of courts conducted by skilled judges and lawyers. The fundamental principle, indispensable to the perpetuity of free institutions, is that this government is one of law and not of men. A few years ago a populistic doctrine swept over this land, demanding laws authorizing the recall of judges and judicial decisions, and the making of liquid constitutions, easily changeable at the whim and transitory will of the people. A patriotic and courageous bar combatted and refuted this insidious heresy, and we trust its menace has forever past. No doctrine more dangerous to the maintenance of justice, the peace and security of our people, and the permanence and stability of our institutions, was ever proclaimed. Private rights and public interests will be secure only so long as the courts fearlessly resist the transitory passions of the hour. The authority and independence of the courts, in the performance of their momentous duties, must be maintained, if constitutional government is to continue, un-

bridled tyranny of the majority is to be prevented, and our nation saved from the oblivion that has engulfed empires and Republics in the past. It has been eloquently said, that, "The one most sublime thing in the universe except its Creator, is that of a great and free people governing itself by a law higher than its own desire."

Our system of government, both State and Federal, is founded upon the familiar principle of three independent, co-ordinate and equal departments,—the Executive, the Legislative and the Judicial. Alexander Hamilton discussing this governmental system in the *Federalist* said: "The Judiciary is beyond question the weakest of the three departments; it can never attack either of the other two, and all possible care is requisite to enable it to defend itself against their attacks. It may be said to have neither force nor will, but merely judgment, and must ultimately depend upon the aid of the executive arm for the efficacious exercise of even this faculty."

This constructive statesman early thus foresaw and depicted the inevitable weakness of the judiciary,—this department without purse or sword, that must deal with the most sacred and vital interests of men and nations. Its power, always negative in character, can never be used as a sword, but can be invoked only by an aggrieved party as a shield in defense of his personal and property rights. Executive and Legislative offices are administered wholly by representative or delegated authority, while the judiciary is the only department in the administration of which the people directly participate. In this department the people serve as jurors, respond to writs as witnesses, and execute commissions in the performance of numerous ministerial duties. The judiciary, therefore, is and rightly should be with an intelligent and thoughtful people, the most popular department of government. It touches the people intimately in all their relations in life, and deals with their heirs and estates after death.

The judiciary has at all times recognized and observed the distinctive functions of these co-ordinate but independent departments, and scrupulously avoided encroachment upon the domain of the others,—holding legislative acts invalid with reluctance, and only when in clear conflict with express constitutional provisions. During the last fifteen or twenty years, a tendency on the part of chief executives to assume the dominance of their department has become manifest. Numerous executives have exhibited a disposition to arrogate undue authority, to disparage others, and at times have indulged in unbecoming criticisms of both legislative and judicial officers, and attempted to enforce executive views and opinions upon these independent departments. These trespasses are not chargeable to the representatives of one political party more than to another, but are the characteristics of men rather than parties, and of a prevailing tendency of thought. A reaction in this respect is already visible, and we may reasonably expect an early return to practices in accord with the fundamental principles of our government. It is peculiarly the prerogative of the bar to guard, with eternal vigilance, these sacred land marks of our institutions.

The sphere and work of the lawyer is not confined to the administration of justice through the courts, but he frequently serves in executive and legislative offices, and in the performance of such duties, he usually makes a wise, conservative and efficient public servant. General Harrison, while President, said that he found lawyers to be the most efficient and satisfactory subordinate officers in the public service, because of their training in analytical thinking, ability to look on both sides of a question, and to reach safe and satisfactory conclusions in dealing with new problems. Rufus Choate, many years ago, described the larger sphere of the lawyer as a preserver of freedom and order, in the following graphic words: "It may be said, I think with some truth, of the profession of the bar, that in all political systems and in all times it has seemed to possess

a two-fold nature; that it has seemed to be fired by the spirit of liberty, and yet to hold fast the sentiments of order and reverence, and the duty of subordination; that it has resisted despotism, and yet taught obedience; that it has recognized and vindicated the rights of man, and yet has reckoned it always among the most sacred and most precious of those rights to be shielded and led by the divine nature and immortal reason of law; that it appreciates social progression and contributes to it, and ranks with the classes and with the agents of progression, yet evermore counsels and courts permanence and conservatism and rest; that it loves light better than darkness, and yet like the eccentric or wise men in the old historian, has a habit of looking away as the night wanes to the western sky to detect there the first streaks of returning dawn."

Judges and lawyers are not mere theoretical philanthropists, but meet actual conditions and deal with concrete cases. A quiet word, in the privacy of consultation, from a conscientious lawyer, may change the whole tenor of a man's life and vitally affect the happiness of those dependent upon him. The Judge from the bench, and the advocate at the bar, daily give utterance to sermons which make mightily for truth, honor, morality and right living, but their achievements as practical reformers are little understood or appreciated. Justice Oliver Wendell Holmes, speaking of the practical administration of the law, most happily said: "But we, who are here, know the law even better in another aspect. We see her daily, not as anthropologists, not as students and philosophers, but as actors in a drama of which she is the providence and overruling power. When I think of the law as we know her in the court house and the market, she seems to me a woman sitting by the wayside, beneath whose overshadowing hood every man shall see the countenance of his deserts or needs. The timid and overbourned gain heart from her protecting smile. Fair combatants manfully standing to their rights, see her keeping to the lists with the stern and discriminat-

ing eye of even justice. The wretch who has defied her most sacred commands, and has thought to creep through ways where she was not, finds that his path ends with her, and beholds beneath her hood the inexorable face of death."

The courts have been confronted in recent years with questions of unprecedented importance. The right of the Republic to acquire foreign territory and to govern alien peoples, and the reserved and sovereign rights of states; imperial in the magnitude of their resources and power, have been frequently involved. Great corporations, rivaling nations in wealth, spanning continents and oceans with their traffic, and employing vast armies in their service, enter the portals of our courts and await their judgments and decrees. Questions arising out of the Eighteenth Amendment, involving the requisite vote thereon in each house of Congress, the effect of a referendum vote within a state, and the right by federal amendment to supersede the police power of the States and control directly the habits of the entire people of the nation, have but recently engaged the attention of our Supreme Tribunal.

The women of this nation are soon to receive political and economic freedom, and their entrance into public life will create new problems. They will be welcomed to the privileges and responsibilities of full suffrage, but radical changes need not be expected as an immediate result. The granting of this privilege is not an end in itself, but only a means for the attainment of greater aims. Every generation is charged with the paramount necessity of preparing the next generation for the performance of duties soon to be assumed. In this work, under the basic plan of the Creator, the mothers are of supreme importance. If this changed status tends to develop mere mannish women, or a neutral sex, it will have been vain and futile, but if it tends to make more efficient and capable women and mothers, then it will be grandly successful.

The extent and value of the patriotic services contributed by the bar to the winning of the mighty war will never be

known. About 120,000 lawyers in this country volunteered their services in connection with the administration of the Selective Service Law, and of their work Provost Marshall Crowder speaks as follows: "There is no brighter chapter in the history of the draft than that of the services rendered by the lawyers of the country. Legal advisers richly deserve the credit for upholding the tradition of American fairness in the administration of her laws. Not only did the expert advice accorded by the lawyers of the country contribute toward the expeditious creation of an army; but the impression of equity engendered by their services was of inestimable value in developing and in maintaining a healthy morale in the body politic. On the honor list of the war must be numbered the thousands of lawyers, who without emolument and without the glory of the battlefield, served their country by supporting and aiding in the administration of the most drastic legislation of the last half century."

The direct result of the great war upon the jurisprudence of this country is not yet apparent. It will result in a league of some sort for the preservation of the peace of the world. It may be a league of mighty nations with power to enforce their will upon opposing and disturbing elements, but as lawyers we trust that in some form, a tribunal shall be created for the establishment of justice, guided and ruled by the principles of international law and right, to which all nations may be required to submit all justiciable disputes for peaceable settlement. Let us not be pessimistic, but rather optimists, clinging to the belief that "Through the ages, one increasing purpose runs." The brotherhood of great judges, lawyers and law writers of all nations and all times, will in the future as it has in the past, lead and guide to higher plains. Whenever the law needs vindication, the voice of the lawyer will be raised with a power more potent than cannon and bayonet, and whenever liberty or our free institutions are assailed, he will lead the forces of defense. The broadening of human

rights, under our jurisprudence, has been the growth of centuries, and under the prudent and faithful guidance of the legal profession this growth will continue until the full fruition of our hopes shall be attained.

"It is weary watching wave by wave,
And yet the tide heaves onward;
We climb like corals, grave by grave,
And pave a pathway sunward;
We are driven back from every fray,
A newer strength to borrow,
But where the vanguard camps today,
The rear shall rest tomorrow."

Organization

ROSCOE A. HEAVILIN,

There are two economic forces in the business world—organization and cooperation. Neither can be eliminated. They should be amalgamated. Organization without cooperation is cruel. It means the stronger arrayed against the weak with a tendency to drive the smaller man from the field of activity. It means all the evils of monopoly. Cooperation without organization is cruel. Cooperation without organization is usually a well-meaning association presided over by somebody's brother-in-law or some well-meaning citizen and has no definite purpose for its achievement.

Most of us believe in opportunity. We believe in organization and progress, and believe that the small man should not be crushed by organization, but should be helped by it. All of this more particularly applies to the business world and as we happen to be in a classification politely known as professional men, we feel that much can be said on the needs of organization among the men of our profession.

We search history in vain for the record of a civilization without a highly educated class, and in all history the lawyers have always been referred to contemptuously. But nevertheless, in all ages past, the lawyers have been the guiding spirit of human achievement.

Inspiration has always come from a diffusion of learning and the law of the jungle has long ceased to be a divine law.

Look where you may in all the various ramifications of industry and learning, the law of organization is today the one and supreme law, and is the all important factor of human progress.

Three years ago, Mr. Hough, in his annual address before this Association, described the wonderful organization and intelligence of the bee. (See Annual Report 1917,

page 78.) Maeterlinck tells us that one bee by itself has neither inclination or intelligence enough to accomplish any useful thing, but that by working in groups there is an intelligence almost human and this intelligence is known as the "spirit of the hive." So let us for a few moments forget that we are lawyers. Let us forget that every proposition is debatable, and let us just get together in this spirit of the hive and try to redeem a profession.

Last year Mr. Stevenson called our attention to the fact that in the State of Indiana there are approximately 4500 lawyers, and the State Bar Association has a membership of approximately 7 per cent. of its total. By way of comparison, it was shown that the medical profession of the State is organized to an extent of 90 per cent. of the really active practitioners. (See Annual Report 1919, pages 28 and 29.)

It being generally agreed that there is a lack of organization and needs for a more extensive organization in our profession, the question naturally presents itself, How is a more effectual organization to be accomplished? After carefully going over the history of our organization, I have almost reached the conclusion that the results can probably be best obtained in that suggestion found in the lines of Shakespeare, "The first thing we do, let's kill all the lawyers."

Glancing at the history of the State Organization, I find that this Organization came into existence twenty-four years ago, and using the expression of Grover Cleveland, we might say that after twenty-four years of "innocuous desuetude," the Organization is just about where it started.

We have in the State some 4500 lawyers out of which the State Organization, in twenty-four years, has attained a membership of 681; approximately thirty members a year for the last twenty-four years. Last year, under the splendid efforts of our lamented president, Mr. Keith, we increased the membership 111, bringing the total membership up to 681.

Last year we attained the highest membership in point of numbers known in the entire history of the Organization, and if we continue at the same rate of increase, it will require only about thirty-eight years to perfect an organization of the lawyers of the State.

In 1916, we provided for affiliated membership by counties and cities and the 1919 Year Book shows that during the past four years, we have secured five affiliated memberships from County and City Bar Associations. There being ninety-two counties in the State, a conservative estimate shows that it will require only forty-two years to perfect a complete organization under this plan. And it is possible that the lawyer would do well to consult his physician on the question of organization. If the physicians are organized 90 per cent. why should the lawyers of the State be organized only 7 per cent?

May I digress just a moment? The other day, I met a former client of the office dressed in Broadway style, climbing out of a \$4,800 sedan, with electric starter and modern equipments, with the beam of prosperity written all over his rugged countenance. I happened to know that he had sold his farm but did not know in what business he was now engaged. After the usual exchange of greetings, I asked him what he was doing, and he replied that he had quit work and was now farming the farmers.

He was at the head of the organization of farmers in a certain Congressional District. Yes, the farmers are organized and their organization is making wonderful progress. They are building grain elevators—they have bettered their living conditions, and when it comes to legislation, our profession must recognize the fact that almost every Act contains a clause that "this shall not apply to those engaged in agricultural pursuits."

Yes, the farmers are organized—the ministers, the physicians, bankers, railroad men, postal employees, retail grocers, druggists, hardware men, everybody. Just the other day I read in Abe Martin's Almanac that the organ-

ization of Legless Pencil Venders met in annual convention at Urbana, Ohio, December 12, 1910. And why are the lawyers unorganized?

Pick up the average American magazine today and what, do you find? You will read one of those success stories of some Business College graduate who, in four months, completed his education and has organized the Independent Rat Trap Combine, or the Little Gem Churn Trust, or the Amalgamated Soup Ladle Company, and, starting without any considerable capital, he is now worth three million dollars. Self-styled, self-made, and self-respected—and every lawyer stands on the curb to see him ride by, and refers to him as one of the captains of industry. If you but look him over, you will find that he is very common-place and yet lawyers and judges hail this self-made man as one of the captains of industry.

Let us see how it happened. Some lawyer thought and wrought, some lawyer burned the midnight oil while the faithful wife crooned a lullaby to their little one that it might sleep and not disturb him in his work. And as he thought and wrought, he shaped an industry with its production department, its sales and accounting department, and all the various ramifications of the things now manned and controlled by the Business College product and this captain of industry now looks on the lawyer and calls him a dub because he organized the concern and failed to get a just compensation for his labor.

Yes, gentlemen, every corporation owes its existence to a lawyer. The Standard Oil Company, the United States Steel Corporation, and all the gigantic trusts now paying fabulous and handsome dividends were organized and are directed and guided by some lawyer. The Transportation Companies, Banks, and Trust Companies, are creations all from the lawyer's brain.

It is said that the man who invented the pillory was the first to be punished by the pillory. And while the lawyer is an expert on organization, he has seen himself displaced

and regaled to the scrap-heap by reason of some organization outlined and created by himself. He has seen the Trust Companies, with vile and vicious hands, rob him of the revenues that should be his own. The organization that he has created has taken away the opportunity for his further labors and has left him stranded on the reefs of penury and want.

Today capital and labor stand uncrowned as equal kings. Capital was never so thoroughly organized, while labor demands its own and gets it. The other day, I happened to be in Detroit, a beautiful city, with two million automobiles and six dollars worth of school books; ignorant and unskilled labor receiving a wage of \$15.00 to \$20.00 per day. And then—think of it—here in Indiana, a trained lawyer sitting on the wool-sack as special judge at \$5.00 per day, and the Court House janitor and the court reporter earning about as much money as the Judge of the Court.

Lately an editorial referred to the lawyer as "incapable of leadership by reason of his financial inability to keep pace with the captains of industry." And yet, in all the mad rush for dollars, the captains of industry have utterly failed to keep the lawyers from dominating civic affairs from one end of the globe to another.

We have seen the foolish and frantic efforts of the self-respected, self-esteeming and money-mad trying to solve the great questions of the day by their extravagant, futile and reckless waste of money—all to no avail.

We have seen the maker of a car that "takes you there and brings you back," equipping the good ship Oscar the II under the slogan of "out of the trenches by Christmas and out of the trenches forever."—A million dollars that had as well been dumped into the surging sea.

We have seen the maker of the "soap that floats" pouring his millions into Salt River without even a bubble rising to the surface.

We have seen a government expending billions in a profligate way and are inclined to the theory that sensible or-

ganization with cooperation is the only plan to redeem a war-worn world, having in mind always that the welfare of the weaker and the welfare of the most powerful are inseparably joined together; that the benefit of one is the benefit of all and the neglect of one is the neglect of all.

It may be said by some that we will commercialize the profession; that the profession stands on a higher plane than mere dollars and cents. We admit it. We believe in the ethics of the profession and yet we are mindful of the fact that it takes money to buy—they used to say whiskey, now we say beefsteak.

For the past twenty years it has been my hope and dream to see the organization of the lawyers. In other words, to see the lawyers of the State of Indiana organize for their common good and for the purpose of accomplishing definite results. Take the old-time lawyer who has won his laurels and is now ready to rest on his oars—There is always a tendency on his part to discourage organization. But I am speaking to the man of today. I am speaking of the 100 per cent. man—of the lawyer who does things and is an important factor in the business affairs of life and who is struggling for an existence.

Dunn and Bradstreet state the facts correctly when they show that the average lawyer is today earning less than \$1800 per year. Only last year there was a general strike in Harvard because the average salary paid the professors was less than the wage of a street car conductor or motor-man.

Is it not about time for the lawyer to wake up and do a little organization for his own profession, for his own business interests, for his own self-respect, and for those that are dependent upon him? Look at some of the Congressional investigations. Everybody has been before the investigating committee except the lawyer.

For three long years the lawyer has been an important factor in the community, has served his country well and faithfully, and rendered everlasting service absolutely free

of charge to those who were compelled to do an important part in the great struggles past.

When I glance at the history of the past, I find in the grievance and malcontent following the great war for independence, that Schuyler, in describing such conditions, states that after the war the courts were clogged with all kinds of civil suits and that the lawyers became overwhelmed with cases, and that they always exacted retainers and were absolutely sure of their fees. So they finally became wealthy and were roundly denounced as blood-suckers, pick-pockets, and were even accused of causing the burdens and distress that afflicted the State. So, when the legislature met in Massachusetts, a stormy session began, and a bill was introduced to fix the fees of the attorneys and to provide that all persons of good character should be allowed to practice before the court, and that they crush, or at least put a proper check on that order of gentlemen dominated as lawyers.

But that, gentlemen, was before Indiana was admitted to the Union and it surely deserves to be a Union State as it incorporated that wise (?) or unwise provision in our Constitution—That “all persons of good, moral character be permitted to practice law in all courts of justice.”

In 1916, a harmless proposition was presented to this Association, viz, a proposition to adopt a fee schedule, not for the purpose of plundering, not for the purpose of pillaging or picking pockets, but for the sensible purpose of establishing throughout the State, a uniform system of fees so that the lawyer at Mount Vernon would fare as well and be on the same professional basis as a lawyer performing like service at Albion, Indiana; and for the further purpose of assisting the younger lawyer who has nothing to guide him on the question of a reasonable fee and as to the value of his services.

To this proposition a howl went up from the dignified members of the Bar and the resolution was lost. This is rather an incongruous situation. The people of a State de-

manding the right to fix the fee of the lawyer by legislation and the lawyers refusing to fix a fee by resolution. It is little wonder that we have a Workman's Compensation Act, and all those generous Acts provided for the welfare of the gentlemen dominated as lawyers.

The American Judicature Society, in its publication, offers a splendid plan of organization under which many states are being organized and my only suggestion is a militant board of officers for this Association, and a campaign of real hard work in which every member does his best for a more perfect and better organization. I am pleading for an organization, not for the purpose of increasing fees, or for mere dollars, but I am speaking of that kind of organization that deals with men. I am speaking of that kind of an organization that accomplishes something for humanity. I am speaking of that kind of an organization that has to do with the welfare of the nations of the world.

When the great charter was extorted from King John at Runny Meade, it was the lawyer who finished the work that the soldier began. It was the lawyers of that age that wrote with ink and quill what the soldier had written with his rich blood on the field of battle. And so in the turbulent days that are to come, it is now left for the lawyers to guide the destinies of nations and to again write in future laws what the soldier has written by his precious blood on Flanders Field.

The lawyers are inclined to underestimate their own work. And yet, my friends, we see day by day that the war-mad world is settling to normal conditions and the lawyers, with guiding hand, are slowly but surely working out the destinies of nations.

Let us have an American Bar organized on the highest plans, to protect the rights of persons and the rights in property; an organization that moves forward with the world's progress; an organization that is unafraid and is concerned about the rights of all nations, and stands ready to defend them; an organization where the strong will sup-

port and protect the weak; and an organization that will so glorify the profession that the term "lawyer" will be synonymous with "defender of rights, champion of liberty, disciple of Democracy, and emancipator of men."

"The Tichborne Case"

HENRY H. HORNBOOK.

I feel that an apology is appropriate, perhaps necessary, for springing on the State Bar Association a paper written for a Literary Club. But however willing the spirit may have been, the flesh was very weak when it came to fulfilling my promise made to Mr. Batchelor of writing a paper for this Annual Meeting. It was all too easy to find myself busy or otherwise indisposed when the time drew near when something had to be done. So I "fell" to the tempter, and had recourse to the barrel, haply finding something therein which at least had relation to the law.

Twenty-five years or more ago John R. Wilson brought to my attention an article in the *American Law Register* for 1874, by John T. Morse of Boston, on the Tichborne case. I read it at the time with much interest. Some twenty years later I again read the article and was led to a somewhat extended reading in the biographies of the famous lawyers who participated in the trials. This paper was the result.

The Tichborne family, for more than eight centuries, had held large landed estates in East Hampshire, some ten miles toward London from Winchester, when in the year 1829 there was born to Sir James Tichborne, the then head of the house, a son, Roger Charles Tichborne, around whose name there centers one of the most famous law suits in the history of England. The Tichbornes had long ranked among the great Roman Catholic families of England, and shared the ostracism which, in large measure, English prejudice had imposed upon the more prominent followers of that faith.

James Tichborne's marriage was far from happy. His wife, Henriette Felicite, was the natural daughter of Henry Seymour, a prominent landowner in Wiltshire. Her mother

was of a distinguished French family. This fact, coupled with a constant friction with members of her husband's family, led her to insist on spending most of her married life in Paris. Here she was when Roger Charles was born in 1829, and there he was reared until 1845. The lad grew up on French, had French tutors, spoke French at home, and had all the characteristics of a French boy. His father and mother were not particularly happy and the son's sympathies were largely with his father, whom he considered a much henpecked husband.

In 1845, the death of the father's brother gave him a much sought after excuse to take his son back to England, where, without the knowledge or consent of the mother, he was placed at a famous Jesuit Seminary at Stonyhurst, in Lancashire. Here he remained the next three years—a passing student, taught by the Jesuit fathers, associating with sons of the best Roman Catholic families, getting a smattering of Greek and Latin and working through the propositions of Euclid.

In 1849, contrary to his mother's wishes, he entered the army, joining the Sixth Dragoon Guards, which service continued over a period of some three years, or until 1852. He seemed to really enjoy the profession. Desiring service in India, and failing to secure such an assignment, he resigned his Commission and resolved on a prolonged tour of South America.

Whereupon after a visit to his parents in Paris in *March, 1853*, he sailed from France for Valparaiso in a French vessel named *La Pauline*.

There was, however, a deeper motive for his change of plans—which is vitally connected with our story.

For many years he had been in love with his first cousin, Catherine Doughty, and she seems to have returned his affection. Her parents, however, did not approve, partly because of the close relationship, partly on account of his excessive drinking and smoking. Having once consented to the union, they withdrew their consent, and insisted

that for three years their daughter should be free and should receive no communication from Roger. He met her for the last time June 22nd, 1852, and gave her a sealed packet containing this written declaration within:

"I make on this day a promise that if I marry my cousin, Catherine Doughty, this year, before three years are over, at the latest, to build a chancel or chapel at Tichborne to the Holy Virgin in Thanksgiving for the protection which she has thrown over us, and in praying God that our wishes may be fulfilled."

A little later he had the family solicitor make his will, and at the close thereof wrote this, "My private wishes and intentions as I intend to carry them out if I live, I have confided to Mr. Vincent Gosford."

Gosford was the steward of the Tichborne estate, and to him he handed a sealed packet, which contained a duplicate of the document handed to Catherine Doughty, but neither knew of the fact that a copy had been handed the other. Gosford, as it appeared later, lost his copy. Catherine Doughty kept hers. The importance of which will appear later.

Roger spent a year traveling in South America. He had an allowance of £1,000 per year, on which he drew regularly. He wrote to his friends and relatives frequently—interesting, intelligent letters. A single instance will illustrate his style, as well as throw some sidelights:

"Buenos Ayres, March 1, 1854.

My Dear Mother: It is certainly strange that every one of your letters as far back as I can remember have always been and are still now always on the same subject, without the least variation. Those subjects are invariably the duties of a son towards his mother, which fill up as a matter of course at least the first two pages. The two other pages are generally filled up with all kinds of imaginary fears and a list of accidents, the illness and sickness of every description which are quite unknown to anybody

else but yourself. It must certainly be the work of your imagination which makes you think of so many things. * * *

It is quite impossible for me to fix in any kind of way the time of my return to England. The life which I am following suits my taste too well for me to leave it in a hurry, especially as my health is remarkably good, and promising to keep so for a long time to come.

I have seen certainly a great many countries in my life, but I never saw one where the sceneries were equal to those which a person sees from the top of the Cordilleras of the Andes, for the wildness and magnificent scenery which he sees before him I don't think that there is anything to be compared to it in the world. * * * I have not time now to send you an extract of my daily journal today, but I shall write it out for you as soon as I shall have time. I suppose you must be by this time accustomed to the English country life, which is by far the best life to lead. Tichborne is a very nice place in all seasons in the year. Pray give my love to my father and Alfred. And believe me, my dear mother, your very affectionate son,

R. C. Tichborne."

On April 20th, 1854, he sailed for Jamaica from Rio on the English ship *Bella*. Four days later articles of wreckage from the vessel were found, but no survivor was heard of, and as months rolled on the presumption seemed conclusive that all had perished. The following year Roger's will was probated in England. All mourned him as dead except his mother, who never gave up her belief that her son would return.

Catherine Doughty married, becoming Lady Radcliffe. In 1862 James Tichborne, the father of Roger, died. The estates descended to Alfred, a younger son, and on his death, in 1866, they passed to his infant son—still living, I believe, and known as Sir Henry Alfred Joseph Doughty Tichborne.

Following her husband's death, Lady Tichborne, having little to occupy her time, gave herself to an active cam-

paign to discover the whereabouts of her son Roger, of whose existence she entertained not the slightest doubt.

And at this point properly begins the second chapter of our story.

In May, 1865, Lady Tichborne wrote to a Mr. Cubitt at Sydney, Australia, who carried an "ad" in the London Times of his "missing friends" office, asking his assistance. Cubitt inserted an "ad"-in various Australian newspapers, and on October 9th of the same year was rewarded by a letter from Mr. Gibbes, an attorney at Wagga Wagga, stating that he had "spotted R. C. Tichborne."

Gibbes' story as afterward told in Court (for which appearance and testimony he received £600 from the Government) was to the effect that in the summer of 1865 a big, burly fellow, named Thomas Castro, following the profession of a butcher, called upon him to assist him on a journey through the bankruptcy courts, and in that connection inquired as to the consequences if he omitted to schedule some entailed property in England, stating that Castro was not his true name; that he was the eldest son of a leading English house, and was the heir to a title. Some time later Cubitt's "ad" came to Gibbes' attention, and he immediately associated Castro with the missing heir. Shortly after he saw Castro smoking a pipe on which were cut the initials "R. C. T." "Shall I call your real name," said Gibbes. "No, for God's sake don't," was the answer. "O, I know who you are—you are Tichborne," quoth Gibbes. Thereupon Castro removed the pipe from his mouth, looked at it, saying, "Is that it? Are those the initials?"

The "ad" gave certain information as to the missing heir—his family history—disappearance—and described him as of a delicate constitution, rather tall, with very light brown hair and blue eyes. As a matter of fact, this was wrong as to the hair, and should have read "black hair," and Cubitt also, for some unaccountable reason, omitted to state that the lost one was rather thin, as Lady Tichborne's letter informed him.

Now Castro was in truth coarse, rugged, beefy, weighed no less than 240 pounds, but did have light hair.

Gibbes' letter to Cubitt stated that he had spotted the man—called for additional information as to R. C. Tichborne, especially as to the nature of his delicate health—the causes of his leaving England, and the extent of his education. However, Cubitt was not sufficiently informed to answer these questions.

He did, however, promptly convey the joyful news to Lady Tichborne, and the ensuing months developed a long correspondence between Cubitt and Gibbes on the one hand, and Cubitt and Lady Tichborne on the other, in which the question of finance played a large part.

Cubitt calling for money—Lady Tichborne holding back until something more tangible had developed, and Gibbes declining to produce his man from the seclusion of Wagga Wagga until some financial provision was made. Finally Gibbes, becoming impatient, opened up a correspondence with the Dowager direct and induced Castro to write her a letter.

This, then, was the resumption of a correspondence after a thirteen years' lapse. You have already seen one of his letters from South America. Here is the first from Australia:

“Wagga Wagga, January 17th, 1866.

My Dear Mother: The delay which has taken place since my letter, Dated 22nd April, 54, Makes it very difficult to Commence this Letter. I deeply regret the *truble* and *anxsity* I must have cause you by not writing before. But they are known to my attorney and the more private details I will keep for your own Ear. Of one thing rest Assured that although I have been in A humble condition of Life I have never let any act disgrace you or my Family. I have been A poor Man and nothing worse. Mr. Gibbes suggest, to me as essential That I should recall to your memory things which can only be known to you and me

to convince you of my Identity. I don't think it needful My Dear Mother. Although I send them. Namely the Brown Mark on my side. And the card case at Brighton. I can assure you My Dear Mother I have kept your promise ever since. In writing to me please enclose your letter to Mr. Gibbes to prevent unnecessary enquiry as I do not wish any person to know me in this country. When I take my proper position and title. Having therefore made up my mind to return and face the sea once more I must request to send me the Means of doing so and paying a fue outstanding debts. I would return by the overland Mail. The passage Money and other expences would be over two Hundred pound, for I propose Sailing from Victoria not this Colonly And to sail from Melbourne in my own Name. Now to annable me to do this my dear Mother you must send me * * * " (Remainder missing.)

Before this letter was received, Lady Tichborne's remaining son, Alfred, had died, and thus left alone, she unreservedly gave her mind to the conclusion that the missing Roger Charles had been found, and, without having seen a line of his handwriting, or received a single detail as to his life and personality, she wrote to her "dear and beloved Roger," imploring him to come to her, and assuring him necessary funds.

At the same time she wrote to Cubitt and stated that there was a black man in Sydney named Bogle, who had been valet to Roger's uncle and whom Roger knew very well. A few days later she again wrote to Cubitt and gave some additional facts as to Roger's education, army life, travels, etc. And a somewhat similar letter went to Gibbes.

About this time Castro, being in need of funds, set out for Sydney and got into touch with Cubitt. Here he executed his Will, in which he assumed to dispose of estates in England which the family had never owned—named as Executors persons unknown to him and left certain property to his mother, "Lady Hannah Frances Tichborne",

whose name, you will recall, was Henriette Felicite, though her letter to Cubitt had been signed H. F. Tichborne. He also executed a declaration embodying the following:

"I arrived at Melbourne on the 24th of July, 1854. That I left England in the Jessie Miller on November 28th, 1852. That I sailed from Rio Janeiro April 26th, 1854, in the Bella, which was wrecked, and the boat in which I was picked up was the Osprey, Captain Owens, by which vessel I was conveyed to Melbourne, where I first assumed the name of Castro."

Strange as it may seem, these documents and the introduction of Mr. Cubitt opened the banks' coffers, and Sir Roger was able to secure anything he wanted. His name on the back of a Bill of Exchange was good enough for any one, and he repaid Cubitt and Gibbes their advances and took up his living in a fashionable hotel.

Meanwhile, old Bogle, the colored man, having read in the newspapers of the reported discovery of Sir Roger Tichborne and of his being at a certain hotel in Sydney, hunted him up. Sir Roger being out, Bogle sat down to wait for him. In a bit a stout man approached him and said, "Hallo, Bogle, is that you." "Yes," said Bogle, and explained the object of his presence. "I am Sir Roger," was the answer, "but have grown so stout that you may not have recognized me."

With typical darkey credulity, Bogle accepted all, and thenceforth became the loyal supporter and adherent of the claimant. He made the trip back to England with him, and remained a part of his retinue until the end of the prolonged litigation. We may well imagine the amount of information which the claimant's retentive memory absorbed from the daily contact with this old family servant.

But we must hasten. The travellers proceeded by way of Panama and New York to London, where they arrived Christmas Day, 1866. Naturally, the whole group of family relatives eagerly awaited the coming of the claimant, whose

arrival would greatly disturb their expectancies. The mother, residing at Paris, was almost unnerved by her anxiety. In her letters she had urged her son to come straight to her, without mixing with his father's relatives. She likewise refused to show to the latter the letters she had received from Australia.

Meanwhile, agents of the father's relatives were on watch for the appearance of the missing heir at Alresford, a town nearby Tichborne Park.

On the 28th of December, there appeared at the town hostelry a stranger of tremendous size, weighing about 20 stone (280 pounds), who took a private sitting room. He gave the name of Taylor. His baggage was marked "R. C. T."

Without disclosing his identity, he procured the hotel clerk to drive him over to Tichborne Hall, which was rented to a Colonel Lushington, one of the Trustees of some of the Tichborne entailed estates. Without manifesting any desire to enter, he walked about the exterior of the mansion, was then driven back to the hotel and there announced himself as the missing heir, Sir Roger Charles Doughty Tichborne.

Time is far too brief to permit of entering into the details of the busy days which followed, and only the high points can be touched.

Interviews were sought by family relatives and at first declined. However, later, some brief interviews were obtained. In these the claimant did but little talking, made constant mistakes when he did talk, failed to identify near relatives of Sir Roger, and was rejected by most of them as a fraud.

A notable exception was that of the mother, Lady Tichborne. The meeting of this deluded woman with the claimant constitutes so extraordinary an episode that it calls for more detailed narrative.

The experiences of a few days at Alresford were far from encouraging and the claimant retreated to London.

There by chance he fell in with a hanger-on of a billiard room, to whom he revealed his identity and told of his plans to visit his mother in Paris. The astute young man suggested that, in a matter of such delicacy, a good solicitor was necessary, and recommended Mr. John Holmes, a well-known member of the profession. They repaired to his chambers and Mr. Holmes at once recognized the possibilities of the situation, took charge of future operations, and proposed to accompany him to Paris.

A day or two later the journey was made and the party took quarters at a hotel in Paris. Lady Tichborne had news of their expected arrival and sent her servant to bring her son to her without delay. Mr. Holmes informed the servant that Sir Roger was seasick and could not leave his hotel. This was followed by a conference with Lady Tichborne at her residence, after which Mr. Holmes escorted her back to the hotel to see her son. It was a cloudy day—the shades were down and the claimant was lying huddled up on the bed, dressed and muffled up, his face to the wall. His mother bent over him and kissed him, saying, “He looks like his father.” The claimant made no response. Holmes remarked, “You witness that—you see how she has identified him.”

Lady Tichborne was alarmed over the apparent illness of her offspring, and sent for an eminent English physician attached to the British Embassy, and to him announced that the claimant was her long lost son.

Promptly following this the shrewd solicitor sent a letter to the London Times, announcing the fact that Lady Tichborne had recognized the claimant as her son, and this not only in his presence, but in that of the eminent physician—whose name in and of itself carried conviction to a multitude of the general public—and also announcing that he would bring proceedings to enforce the rights of his client if they were not recognized by the trustees in possession of the estate.

What could seem more simple? Did not the mother's recognition give conclusive evidence to the truthfulness of the claimant's assertions?

The letter to the Times, in fact, bore its fruit. Hopkins, the old family solicitor of the Tichborne family, and who had ceased to represent them on Sir James' death, sought out the claimant on his return to England and, through the recalling to his mind of various episodes that had occurred in his earlier relations with the young Sir Roger, he, in spite of the marked dissimilarity of the claimant's appearance to that of the young man he had known, accepted the assertions of the stranger and allied himself with his cause. Others of scarcely less influence fell in with the natural impulse of adopting the mother's conclusion. Additional counsel were employed and a campaign was inaugurated such as has rarely been equalled in the annals of litigation. A search was made for the old companions at Stonyhurst—for the old soldiers who had shared service in the Dragoons with Sir Roger. Affidavits were procured, shrewdly prepared by artful advisers. Copies of these were sent to prospective witnesses in advance of their seeing the claimant. Each added information and circumstance which enabled the claimant to impress himself upon the newcomer. A veritable establishment was set up at the hotel. Visitors were elaborately entertained, and the very psychology of the situation made it easier for each succeeding prospect to yield his mind to the conclusion that this was indeed the old fellow student, or soldier, as the case might be. One or two members of Parliament became ardent supporters of the cause and, with Mr. Holmes, contributed large sums to defray the huge expenses being incurred. Lady Tichborne meanwhile had withdrawn the £1,000 per annum which she had been contributing from her dowry to the widow of Sir Alfred, her younger son, and bestowed it upon the claimant.

Meanwhile, the father's kindred—those who would succeed to the large estate if the infant son of Sir Alfred

should not survive—became alarmed over the growing snowball and set about in earnest to defeat the claims being asserted.

The preparations made were prodigious. South America, Australia, New York, Paris, Ireland, England were combed clean in the following out of the almost countless threads of inquiry which were suggested by the rapidly developing claims, intimations and insinuations.

We can only pause to mention two or three of the lines of investigation which were opened up and which had in the end almost a controlling influence on the *cause celebre*. These investigations were primarily made possible by the elaborate statement of the claimant's case contained in a Bill in Chancery filed by his counsel against the Trustees of the Estate, in which permission was sought to bring certain actions at law without hindrance from the outstanding terms vested in the Trustees. And accompanying the Bill were interrogatories propounded to the defendants. With this was filed an application for the appointment of Receivers for the rents and profits of the estates pending litigation, and to support this the mass of affidavits which had been gathered was offered. To this the defense responded with an application to have the rule to answer suspended until the claimant had been cross-examined, as to the matters set out in his verified bill, before an Examiner appointed by the Court.

This proceeding enabled the defense to search the claimant's story to its depths, to open up the whole story of his life, and commit him to a position on many things as to which the defense desired to know what the claimant's contention would be. He had acquired and retained an amazing amount of information as to the life and surroundings of Sir Roger, and, strange as it may seem, handled himself with great skill in dealing with situations as to which he had not acquired knowledge. But he made some fatal blunders.

It will be recalled that prior to Sir Roger's departure for South America he had executed his will and had also handed to Mr. Gosford, steward of the Tichborne Estates, a sealed packet containing a copy of a similar instrument handed to his cousin, Kate Doughty. Gosford believed the claimant to be an impostor, and one of his reasons therefor was that at an interview which he had sought with the claimant, he had asked him as a proof of his claims to tell him the contents of the sealed packet which had been left with him. The claimant could not remember. Gosford then said that it had to do with certain provisions he had made in event of his marriage to a certain person. Still the claimant's mind was a blank, and Gosford denounced him as an impostor.

After the claimant's examination already referred to, the examination of Gosford was taken on behalf of the defense, in which he, on cross-examination, was compelled to disclose the fact that he had destroyed the packet entrusted to him by Sir Roger, and thereupon, on the day following, the claimant drew up a paper setting forth what he claimed were the contents of the sealed packet. It was never given to the public, but in some way intimations of its contents reached the eager world and opposing counsel. Here is the amazing document:

"The principal items of document said to be destroyed by Gosford. In the event of my father having possession before my return and also dying before my return, he, Gosford, was to act for me, and according to instructions contained in document, in the first place he was to have Upton to live at, and was to manage the whole of the estate. He was to keep the Home Farm in hand he was to showe great kindness to my cousin Kate and let her have anythink she requires; my cousin give me to understand that she was pregnant and press me very hard to marry her before I left. I did not believe such was the case nor have I since heard it was so. allways believed it was said for to get

me to marry her at once to this my father tried to persuade me it also referred to the village of pryor's dean. He Gosford was to have cottage repaired, improved estate in generally. Gosford was also to make arrangements for Kate to leave England if such was true. Both Gosford and wife pressed me very hard to marry her at once other matters of no consequence. I don't think Mrs. Gosford know about Kate.—R. C. Tichborne.”

Recalling the fact that a duplicate of the original packet had been given to Kate Doughty, which was produced at the trial, and adding the fact that perhaps a hundred letters from Sir Roger to his sweetheart and her mother were preserved, all breathing a wholesome and tender affection, the stupidity and cowardliness of this declaration are almost unbelievable.

However, assuming a jury of the lower class whose prejudices against those of noble blood might be assured, it was conceivable that they might swallow this foul slander along with the rest of the bait.

An even deeper pit had been dug by the claimant for his own downfall.

On the day of the claimant's arrival at London, before his trip to Tichborne Park, he went down to Wapping and inquired at the Globe Inn for the Orton family. He said he had been knocking at the house in High Street and could not get in. The landlady said they were all gone—parents dead, and the family dispersed. He then inquired about other families, whereupon the woman said, “Why, you must be the Orton who left some twelve or fourteen years ago and has not been heard of since.” “No,” was the reply, “I am a friend who has come to assist the family.”

Thereupon she furnished him with the address of a married sister of Arthur Orton, and he left.

This incident was discovered by a detective. The claimant long denied it, but afterward admitted that he had been to Wapping the first thing after returning to England,

stating that he was a friend of Arthur Orton in Australia, and promised him to look up his folks when he got to England.

This clue, however, once followed to its end, led to the uttermost parts of the earth, and brought prodigious results, as will be seen later on.

Another monumental blunder must be mentioned. The claimant asserted that he had spent some time with a Spanish family by the name of Castro, in an inland town in Chili, and that by reason of his fondness for them, and some legal complications which afterward arose in Australia, he had assumed their name, and for some years prior to the meeting with Cubitt and Gibbes had borne the name of Thomas Castro.

A correspondence was opened up with certain members of the Castro family in Chili, which, to Solicitor Holmes, seemed to bring assurances of vast aid to their cause. Meanwhile, the defense had not been idle, and had their agents scouring the South American village for every possible clue.

The state of the issues having forced the hand of the claimant, the defense procured an order from the Vice-Chancellor directing an issue to be tried in the Common Pleas Court (a jury case) as to whether the claimant was the lawful heir of Sir James Doughty Tichborne. Thereupon a suit in ejectment was brought, and in this action the defense secured the appointment of a Commission to take testimony in Chili and Australia.

Holmes insisted that the claimant should accompany his representatives to Chili to confront the witnesses and also secure valuable testimony for himself. The party crossed the ocean to Rio, took passage for Valparaiso, and at Buenos Ayres the claimant left them, insisting he could not stand further sea voyages, and would cross the continent overland and meet the party at Valparaiso. The attorneys went on by sea, and, to their utter consternation, the claimant failed to appear, and they were compelled by

the Commission and the opposing counsel to go forward without their client. He, in due time, returned to England.

The testimony taken showed these startling facts: in 1849 or 1850, four years prior to Roger Tichborne's arrival in Chili, there came to Melipilla (the Chilian town already referred to) an English sailor boy, with stories of his mistreatment at sea. He was taken into the homes of the people, and an English doctor was particularly kind to him and learned that his name was Arthur Orton, the son of a London butcher. He became familiar with the Castro family and spent much time with them, picking up a smattering of the Spanish language. The pictures of the claimant shown to the witnesses were identified as showing general features similar to those of this boy, and pictures of Sir Roger revealed that he had never been known in the village, and no one of that name had been heard of by any of the witnesses. This was, indeed, a body blow to the claimant's cause, and, together with the claimant's refusal to attend the taking of the testimony, led Solicitor Holmes to withdraw from the case after having sunk over £5,000 of his own funds in the enterprise.

But other counsel were procured, the rancor of the contest between the hosts of the common people, so called, and the Catholic gentry and nobility increased, and funds were raised by all manner of means to further the cause. You need but to recall here, when prejudices and pocketbooks become deeply involved, there is no such thing as weighing evidence, and hatred, suspicion and fear will disprove every proposition laid down by Euclid.

As an instance of the way in which the campaign was financed, attention might here be called to the Tichborne bonds which were sold. An issue of £100,000 in denominations of £100 each, declared to be payable out of the Tichborne Estates when obtained, was hawked throughout the kingdom, accompanied by copies of the strongest of the affidavits, and a barrister's opinion. Great mass meetings were held throughout the country, and passionate appeals

for funds were made to save the rights of the representative of the common people *to fight the Catholics*. By what process of reasoning this was done is inconceivable. If the claimant was what he pretended, he was one of the landed gentry, and by his very birth and education a member of a leading Catholic family. Such are the absurdities of the mass! The mental process was perhaps this:

Assuming the claimant to be a fraud, he was one of the common people, and not a Catholic—and, therefore, he must be supported against the gentry and the Catholics.

Two great additional calamities had meanwhile overtaken the claimant's cause. Lady Tichborne had died, and all her papers had been taken possession of by the Court, thus throwing open to the defense all the claimant's letters, as well as the letters of Roger Tichborne before the loss of the ship *Bella*. Also had died Hopkins, the old family solicitor, who had taken up the cause of the claimant. These were, indeed, great losses, but the fact that they had in life been for the claimant was still of great value to his cause.

The story is so long, its ramifications so numerous, that we must hasten to the trials.

For clarity it should be stated that there were two great trials. The one civil, the other criminal. The civil trial began on the 10th of May 1871 and ended the 5th of March 1872. The criminal case began April 23rd 1873 and ended February, 28th 1874.

The civil case for the claimant was in charge of Sergeant Ballentine, the most successful criminal advocate of his day, and his chief support was in Mr. Hardinge Gifford, afterward Earl of Halsbury and thrice Lord Chancellor of Great Britain, with a host of other, some very able, counsel.

The defense had as Senior Counsel, Solicitor General Sir John Duke Coleridge, afterward Attorney General, and later still Lord Chief Justice. His immediate Junior was Mr. Hawkins, familiarly known later as Baron Brampton,

and the most noted of cross-examiners. A number of scarcely lesser lights gave assistance to these leaders.

To say the least, court and legal circles knew few other topics in those days, and the eminence of counsel on both sides led to about an equal division of professional opinion. Outside the profession, the public interest was quite as much excited, and nothing in modern court circles other than the Dreyfus affair can compare with it.

The first twelve days of the trial were consumed in putting on a large number of witnesses, from the army, from the neighborhood, to support the proposition that they recognized the claimant as their former acquaintance, Roger Tichhorne. Some of these witnesses from the neighborhood were important, and on their examination in chief, made a strong case for the claimant, but almost without exception on cross-examination, it was revealed that their first impression was that the claimant was an impostor, but circumstances had arisen which changed their views and led them to identify him as Sir Roger. These circumstances chiefly had to do with the claimant's familiarity with incidents with which they were personally familiar in the life of the rightful heir, and the exposure of the opportunity of the claimant to procure the knowledge of these incidents was the prevailing line of the cross-examination, with the net result that the testimony was far from convincing.

At the end of the twelfth day, the foreman of the jury inquired when there was any likelihood of the claimant himself being examined, as the jury wanted to hear from him and from Old Bogle.

Following this evidence of impatience, Sergeant Ballentine the next day called the claimant, who was examined for two days by Mr. Gifford, and under his skilful leading, a connected and fairly consistent story was told.

It is worthy of note that as a part of this story, he was asked to repeat the contents of the packet he had given to Mr. Gosford and he declined to do so, stating that there

were good reasons for not doing so in public. He also enlarged on his acquaintance with Arthur Orton in Australia, and claimed to have been with him almost up to the time of leaving for England.

And then the Senior Counsel for the defense began a cross-examination which was noteworthy for its length, and the merits of which were the subject of widely divergent opinions of the Bar. It lasted for twenty-two days.

In an article in the *North American Review* (September 1894) on "The Late Lord Chief Justice of England" following shortly after Coleridge's death, Sir Charles Russell, who himself later became Lord Chief Justice, has this to say as to this great effort:

"For my own part I thought it, and still think it, the best thing he ever did. It was not a cross-examination calculated, nor should I think even intended, for immediate effect. It was not like the brilliant cross-examination of the witness Baigent by Mr. Hawkins . . . in which the observer could follow the point and object, question by question; but it was one the full force and effect of which could only be appreciated when the facts, as they ultimately appeared in the defendant's case, were finally disclosed. When, indeed, the subsequent prosecution for perjury took place, it was then seen how thorough and searching that cross-examination had been; how, in effect, if I may use a fox-hunting metaphor, all the earths had been effectually stopped. I am glad to find that my opinion of that cross-examination has recently been corroborated by so eminent an authority as the Master of the Rolls, Lord Esher. I must not be understood in what I have said to depreciate his great speech in the Tichborne Case. A more masterly exposition of complicated facts combined with a searching criticism of the claimant's evidence has rarely, if ever, been delivered."

Undoubtedly, it was a most difficult task, but Coleridge meant through it to absolutely demolish the claimant's case.

He was bent on "testing at every point the soundness of the entire fabric of the story, to follow out every clue, and bring to light every inconsistency". He sought to demolish the whole of this fabric—by showing that in style, habits, taste, language and education, the claimant was different from Roger Tichborne—and to show that all the claimant's knowledge about the Tichborne family and Roger himself was such as he had had an opportunity of acquiring.

That he succeeded with the jury is beyond all doubt, but in doing it the clashes in court were so frequent, the tension became so great, that the outside public became convinced that the claimant was being persecuted, and gathered in mobs about the Court Yard and cheered the claimant as he entered or departed and hissed the defendants' counsel and witnesses. The fact that the claimant endured the ordeal at all was considered a proof of his identity.

Time will not permit the entering upon details save to suggest the development of the breaches in the case of the claimant already mentioned, and there were scores of others scarcely less vital. It is worthy of note, however, that in his subsequent address to the jury, the Solicitor General had this to say:

"Did you ever see a more clever man, more ready, more astute, or with more ability in dealing with information, extracting information, and making use of the slightest hint dropped by the cross-examining counsel? Do you not think that many a time he was cross-examining me? Did you not see that he got a great deal more out of me than I got out of him, and that he made most uncommon good use of what he did get?"

At the close of this examination, owing to the illness of the presiding justice, (Bovill) the case was continued, and the court did not reassemble until the 7th of November, a lapse of four months. From then on until December 20th was consumed in closing the claimant's case. Over ninety additional witnesses were examined, including old Bogle

who never waived in his fealty. The drift was the same as in the case of those who preceded the claimant. Some very important witnesses testified for him, including several members of parliament, one of the Trustees for the estate, (who were the nominal defendants in the case), and others whose motives in supporting the claimant, could scarcely be questioned.

Paradoxical as it may seem in the light of the facts as we know them, the claimant's chances never looked brighter than when his case was rested, and the court rose for the Christmas vacation.

Sergeant Ballentine had dexterously handled his one hundred and twenty witnesses, good, bad and indifferent, and hurled them like a mass attack of German infantry on the trenches of the enemy. The claimant's performances in the witness box had been forgotten, and the general feeling of the populace was undoubtedly that the case for the claimant had been established.

And then came Sir John Coleridge's opening statement for the defense, consuming twenty-six days in the making. The mass of it was almost inconceivable. The strain of it on speaker, court and jury must have been almost beyond bearing.

The effect of this great speech was like a thunderstorm after a murky, dark day. The web of mystery and imposture was rolled away. The clues were provided, and the whole conspiracy laid bare. It went on from the 15th of January to the 21st of February:

The taking of evidence then began. Only a few witnesses, including Lady Radcliffe (formerly Catherine Doughty) had been examined. Then on the 5th of March, the foreman of the jury arose and said: "Subject to your Lordship's directions and to the hearing of any further evidence that counsel may desire to place before them, the jury do not require further evidence."

The claimant's counsel were confounded and asked an adjournment. The second day following Sergeant Ballentine

announced to the court that with the consent of his client, he elected to be non suited, which, in our practice would mean that he dismissed his case, thus preventing the jury from bringing in a formal verdict in favor of the defense.

The Lord Chief Justice thereupon expressed his entire concurrence in the course of the jury, stated that in his opinion the claimant had been guilty of willful and corrupt perjury, and ordered his detention until the next session of the Central Criminal Court. And thus ended the Civil suit. The expense of it had been prodigious. The Trustees of the estate, under an Act of Parliament, were authorized to encumber the estate to the extent of almost half a million dollars to pay the expenses incurred, and the British public had contributed probably at least as much to aid the cause of the claimant.

Your patience will not permit of anything but the briefest reference to the Criminal proceedings. The claimant was indicted for perjury on three counts.

1. For falsely swearing that he was Roger Tichborne.
2. For falsely swearing that he was not Arthur Orton.
3. For falsely swearing that he had seduced Catherine Doughty.

Sir John Coleridge, although at first accepting the conduct of the prosecution, later declined, and Mr. Hawkins took charge.

New counsel appeared for the claimant, and Edward Vaughan Kenealy, an Irishman of fair success, with a tremendous flow of words, and Irish eloquence, with the hide of a rhinoceros, and the brutality of a savage, took charge of the case.

It dragged its weary way for ten months. Three Justices, Cockburn, Mellor and Lush presided. Kenealy's opening speech for the defendant consumed twenty-one days. Two hundred and ten witnesses were called by the prosecution, and over three hundred by the defense, toward the end of which, the most important witness, one Luie, was arrested for perjury and abandoned by Kenealy.

After closing arguments consuming about forty days, Sir Alexander Cockburn delivered the charge to the jury, probably the most remarkable ever given. It required eighteen days to complete, the first day being given to a castigation of Dr. Kenealy. Alongside of this marvel of the judicial prosecutor's art, the best of our Federal Judges' attempts in aiding the jury to do its duty by bringing the prisoner at the bar safely behind other bars, are but the performances of school boys. Even Sir John Coleridge's twenty-six days in the Civil case, did not bring a more complete exposition of every possible weakness in the claimant's case, than did this *last* speech of the Lord Chief Justice in the Criminal case.

He not only denounced everything relating to the defense, but in bitter terms condemned the Government for being niggardly in its expenditures and in not bringing other important witnesses from Australia, South America and New York. As a matter of fact, many witnesses had been paid from one hundred to six hundred pounds each to appear, i. e. to cover their time and traveling expenses.

The jury was out thirty minutes and brought in a verdict of guilty on all three counts, and the court promptly sentenced the defendant to fourteen years at hard labor, regretting that the statutes did not permit of longer sentences.

Several of the witnesses were later sentenced to long terms for perjury.

Dr. Kenealy was disbarred by the Benchers of Gray's Inn and his patent as Queen's Counsel was revoked. He began an agitation through the Tichborne Gazette, a newspaper published throughout the trial in the interest of the claimant, and for two years kept up an agitation that convulsed the kingdom. Parliament was flooded with petitions and Dr. Kenealy was elected to Parliament at a by-election, and immediately brought before the House of Commons a motion to refer the conduct of the trial and the guilt or innocence of the prisoner to a Royal Commission. After a de-

bate in which Sir Henry James and John Bright spoke in opposition to the motion, and Dr. Kenealy made a fiery speech in which he used the famous simile in which he dismissed the contumely of his opponents "as the lion shakes the dew drop from his mane"; on the vote four hundred fifty-three voted "no", and three Irishmen voted "yes", and then the excitement subsided.

In 1884, the claimant, who had shortened his term by good behavior at Dartmoor, was released. He began trying to re-establish himself; first by addressing public meetings, then by doing a ten minutes' turn at the music halls, then drifted into employment in a public house, and died in poverty in 1898.

Some years previously, there had appeared in a publication known as *The People*, a signed confession in which he told the story of the inception of the fraud and how it was carried into execution. The story I will not take time to impose upon you. But before his death, like some others, he recanted and denied the authenticity of his confession, and when he was buried, the name inscribed on his coffin was that of Sir Roger Charles Doughty Tichborne.

Business Methods in a Lawyer's Office

WILMER T. FOX.

Countless ages ago a prehistoric ancestor discovered that a club, heavier at one end than at the other, made a better weapon of offense and defense than his own bare hands. His companions, and in time his enemies, observed his greater efficiency, profited by the discovery and not only improved on the original idea, but discovered new methods whereby their efficiency as hunters and warriors was enhanced. To such an humble origin must the modern efficiency expert trace the beginning of his calling. The progress through the ages has been slow and the phenomenal inventions of the past century have been along the lines of new and improved mechanical devices, rather than the discovery of better and more efficient methods of handling the work in hand. Only recently has the study of methods become a distinct calling and acquired a name suggesting its purpose. Now, intelligent and progressive manufacturers and merchants everywhere are not only analyzing the methods by which they produce their products, distribute their merchandise and handle office routine, but the study has become a science and men specialize as efficiency experts. For example, the Metropolitan Life Insurance Company discovered, after painstaking analysis, that by efficient methods a policy could be carried through its various departments in two or three hours, instead of as many days, and one of the large eastern banks by similar studies made corresponding reductions in the time and labor necessary to handle checks coming through the mails. The saving in time and in human endeavor through such studies has not been accomplished alone through the installation of labor-saving machinery, but to a very large

extent has been effected by the elimination of useless motions and unnecessary exertion. In many factories moving pictures have been taken of employees performing routine tasks—both of the slow and the fast producers—and these pictures have been reproduced at a slower speed. On the average, the quick workman was found to be producing the larger output at about the same expenditure of energy as his slower companion, the gain in production being attributable to a large extent to his elimination of useless motions. As a result of observation and analysis of these pictures, the inefficient workmen were trained until they, too, could perform their tasks at a minimum of exertion with a maximum of production. Closely associated with this investigation of economical methods in factory and office operation has been a corresponding scrutiny of accounting methods and a challenge of former estimates of the cost of doing business and of producing or marketing a given article. Some of the results obtained have been startling to the parties intimately concerned. The field of investigation has proved to be so wide that much remains to be solved in cost accounting, although its general principles are well established.

These methods of the business world are not only profoundly interesting to a lawyer, but are of practical use in every law office from the largest organization down to the humble office of the young lawyer just entering the profession. They are likewise available, because of a new spirit of co-operation that has gradually been permeating the business world, well illustrated by a story vouched for as an actual occurrence. A candy manufacturer, as a result of a careful study of his own sales organization, found that as a general rule his customers, partly through their own fault and partly through the misdirected zeal of his salesmen, were purchasing candy in large quantities and at infrequent intervals. As a necessary result of this practice, the ultimate consumer received much of his candy stale and became disgusted with the brand. The obvious

remedy of suggesting to the retailer the advantage of smaller purchases at more frequent intervals was applied and the consumers of this particular brand of candy soon became aware of its universal freshness. Up to this point there is nothing unusual in the story, but had the manufacturer, and countless other independent investigators, kept such discoveries to themselves, much of the progress that has recently been made in business methods would have been impossible and the material for this paper would have been unavailable. This candy manufacturer was shrewd enough to see that many customers, continually purchasing stale candy, even though under the brand of competitors, would in time turn in disgust to fruit or other lines, and their trade be lost to his own fresh candy. To the amazement of his principal competitor, he invited the latter to lunch and, disclaiming any altruistic motive, made a full disclosure of his discoveries and placed them at the disposal of his competitor for their common profit. As a result of such disclosures an immense fund of information has accumulated and is available through various books and magazines. Many hours can be devoted to the explanation of various plans of handling office routine and to the relative advantages of each, but such methods as are mentioned will be incidental and subservient to the main purpose—that of arousing lawyers to a greater interest in efficient methods.

In a general way, office equipment and systems should serve three distinct purposes. First, the performance of the task in hand in the quickest time and with the least effort upon the part of the lawyer and his clerk. Second, the keeping of adequate records of all work performed, so that no loss may result by reason of failure to bill for services rendered. And last, the keeping of the bookkeeping records by a system that will give the lawyer an adequate idea of his overhead expenses, so that his charges may be so adjusted as to provide an adequate return for his labor and skill, after deducting all apparent costs and

some that ordinarily are not considered as expenses of doing business. The performance of a given task in the quickest time and with the least effort upon the part of the lawyer and his clerk is probably the strongest incentive for the installation of modern labor-saving appliances. The most common and useful of these appliances is, of course, the typewriter. Much less common is the dictating machine, which is especially valuable to a lawyer. The present cost of four hundred dollars for a complete outfit has tended to restrict its use, but even at that price it is a paying investment to any lawyer who is at all busy. Its advantages lie in the fact that matter may be dictated at any hour of the day or night, irrespective of whether a stenographer is present or busy, that there is no limit to the speed at which the matter may be dictated and that there is no interruption of transcribing during the periods of dictation. Typists soon get accustomed to the new system, turn out more work and make fewer mistakes. The writer has used the system for six months and regards the cost as one of the best investments he has made.

Good equipment alone is not sufficient without a well-planned system. All routine work and all possible minor tasks should be delegated to the stenographer. The lawyer's time is too valuable to be taken up with such matters. The use of standardized forms in this connection is of great value, especially if the lawyer has a specialized practice. In such offices the most convenient system is the preparation of standard paragraphs for letters, grouped under various subjects, which paragraphs are numbered and transcribed by the typist without the necessity of dictation or reference other than to the form number.

A great saving in time and improvement in accuracy can be made in drafting deeds, mortgages, standard contracts and the more common forms of court proceedings and orders by the use of standard forms. The writer has for years used a system of his own that is especially convenient. In the case of a deed a standard form is type-

written and in the blank space for the name of the grantors, county, name of grantees, county, consideration, description, assumption of liens (if any), date of deed, date of acknowledgment and name of persons acknowledging, there is placed a number, beginning with number one and continuing as high as necessary. To make the numbers more conspicuous, they are written in red ink. In drafting a deed under such an arrangement it is only necessary to write or dictate the information called for by each numbered blank and there is no danger through lapse of memory of omitting or crudely wording some necessary provision. In the case of mortgages and many contracts, separate paragraphs can be drafted covering every common situation, and, by assigning these paragraphs a number, they may be included or omitted by mere reference to their red ink number. A very valuable collection of contract and court forms may soon be acquired by making an extra copy of all such documents prepared, running a line of red ink through all names and special features and assigning numbers to these blanks. These forms are filed and indexed according to subjects, and it is surprising how much time they can save, as the drafting anew, or even the mere dictation, of lengthy documents is a tedious process.

Planning of the office work is necessary if it is to be done on schedule and with a minimum of effort. This requires a record of engagements and matters requiring attention in the future. The use of a calendar pad or a diary is satisfactory, but those who have made the matter a study recommend the replacement of these by a small card index file provided with guides for the days of the month and for each month of the year. Slips of paper, on which are jotted down memorandums, automatically come to the attention on the day on which they require action. The advantage of the card index system over calendar pads and diaries is that matters postponed may be reassigned a new date without the necessity of rewriting the item, the slip being merely taken out and placed at the later date.

Whether justly so or not, lawyers are frequently accused of lack of system in this particular.

The filing of documents and correspondence is one of the most exasperating tasks that confronts the lawyer. There are many good filing systems, but all sooner or later break down in some particular. If every paper is permanently filed, the office soon becomes congested with transfer cases. For some time the writer has used a system with a reasonable measure of success, whereby correspondence is filed in three distinct sets of vertical files, all alphabetically arranged. All live matters are placed in a vertical file labelled "Pending Correspondence." As soon as a matter is closed, the file is inspected as to the advisability of keeping all, or part of it, in a permanent file. If the matter is of a trivial nature, it is transferred to a vertical file labelled "Closed—Unimportant." At the beginning of 1920 all 1918 correspondence in this file was destroyed, on the theory that any developments requiring its use would have transpired within the year 1919. All matters of importance are transferred from "Pending Correspondence" to the permanent file of closed matters, and when the file overflows are removed to transfer cases. In the case of collections, the copy of the letter closing the transaction is placed in the permanent closed file and the remaining papers are preserved for one year in the "Closed—Unimportant" file. As a complete bookkeeping record is kept of all money transactions, a reasonably sufficient record remains.

All court papers and documents are placed in vertical files, pending matters being alphabetically arranged in a file marked "Pending." When a matter is closed, the papers are destroyed, if unimportant, otherwise they are placed in a numbered folder, and vertically filed in a permanent file, of which a record is kept in a card index, cross-reference being made to all parties connected with the transaction. There are frequently so many parties interested in litigation that it is impossible to file the document alphabetically, unless a memorandum is made of the place assigned to

the file and this filed under each name. Assigning the permanent file a number and indexing the parties alphabetically on a card index requires little time and there is less possibility of the file becoming misplaced.

The average lawyer relegates to secondary importance, if he considers it at all, the keeping of an accurate record of all the work he has done throughout the day. He also gives little consideration to the installation of a system by which he can determine with a reasonable degree of accuracy the value per hour or per day of such services as he renders. Considering the loose methods of accounting that have prevailed until recently in the mercantile world, this condition is not surprising, but the legal profession is too intelligent and progressive to lag behind the business world. Theoretically, a record should be kept of every minute in the day; practically, only the more important matters can be preserved. In large offices employing a bookkeeper, each member of the firm should be provided with a pad of printed blanks, on which he will note down the day and hour and time consumed on each item to which he devotes his attention and to whom the services are to be charged. These slips will be assorted, posted and filed by the bookkeeper. Such a system is too cumbersome for the small office. A much better record is made by having blanks printed and padded, about six by nine inches, with a column in which the working hours of the day are divided into fifteen minute intervals, followed by columns for the nature of the services rendered, to whom charged and the time consumed. A complete record is thus available and proper charges can be made. In cases where clients question the reasonableness of the fee, such a record of the work done is invaluable. At first it is difficult to remember to keep such a record, but in time it becomes as easy as any other part of the office routine. As a means of refreshing the memory such a record often becomes valuable, and from its use many small services will be billed and collected that otherwise would have been forgotten. In the hurry of busy times, a lawyer

frequently forgets extra services he has rendered, but with such a memorandum he cannot do so and the losses thus avoided amount to a considerable sum in the period of a year.

Every lawyer, for his client's advantage in the trial of cases, if not for his own good, should be trained in the fundamental principles of bookkeeping and accounting. Such a course requires but a short study and the practicing attorney who can not attend a business college will be amply repaid for the trouble in taking a correspondence school course in accounting. It is just as important for the lawyer to have an accurate record of his income and expenses as it is for the business man, and by using modern methods the keeping of the books need not be a burden. By the use of the multi-column cash book, whereby the totals for the month on most items and not the individual items are posted, much useless posting is saved and the labor reduced to a minimum. Through such a system the writer has greatly reduced the use of a journal. In the case of a collection the total is placed in the total column of the cash book, the fee retained is placed in the special column for that purpose, and the net amount is placed in a column which requires no footing. If remittance is made during the month, thereby closing out the account, he even avoids the necessity of posting by placing a red ink cross in the Ledger Folio Column. The account, though not posted, is nevertheless indexed in the ledger by showing the Cash Book page, so that it may be readily found should occasion require. Such a system represents the minimum of effort consistent with a complete record. By carrying special columns in the cash book for office expense, law library and any other subdivisions of expense that may suggest themselves, a complete record of these items can be made with little labor by posting the totals of the columns at the end of the month. In this day of universal income taxes, it is well to see that these classifications are made according to government rules to obviate the necessity of separating items not

allowable as credits in the income tax return. A lawyer should keep a record by months of his gross income, gross expenses, and net income, for comparison with the income of prior years. In no other way can he know either his present standing or the progress he is making as a money-maker. In the small office a weekly cash balance is sufficient, though the daily balance should be taken in larger offices, and in each case the trust funds should be deducted in order to demonstrate that they are unimpaired.

The fixing of fees upon an intelligent and demonstrable basis would relieve the lawyer of many disputes and misunderstandings. While it will never be possible to determine fees with the exactness prevailing in the sale of commodities, owing to the fact that consideration must be given to the experience and skill of the lawyer, to the amount involved, to the intricacy of the question presented for trial or determination, to the fact that the case was won, lost or compromised, and to innumerable special circumstances, yet the keeping of the records heretofore recommended and the application to them of the settled principles of cost accounting will go far towards removing from dispute many charges, especially as to small matters. It is the belief of the writer, based upon an analysis of records he has kept for some time, that the average lawyer greatly undercharges for small services rendered through failure not only to give adequate consideration to the monetary expense of doing business and through failure to consider the delay in larger matters caused by the interruption, but from complete neglect to take into consideration that overhead in a lawyer's office should include also the time devoted to routine work that can not be assigned directly to any particular client. Any lawyer who keeps a record by ten or fifteen-minute periods throughout the day will soon discover that, on the average, a very considerable part of his day has been occupied with work that he can not charge directly to any particular client, but from which all clients derive a benefit. On the average, the lawyer has spent

probably fifteen minutes in opening his mail, thirty minutes in dictating miscellaneous letters, fifteen minutes in making his bank deposits and writing checks for office matters, fifteen minutes in reading advance sheets of the reporter system and in keeping up to date with the decisions, an appreciable time in purchasing office supplies and considering and making changes in his office system to provide for the growth of his business, an appreciable time in keeping his books, and an appreciable time in disposing of book agents and in doing his part in civic and charitable enterprises that require attention during office hours. Where there is only one lawyer in the firm, this expenditure of time on the average probably amounts to two or three hours per day, and may even exceed this figure. In a large law office, where the increased number in the firm permits a more competent clerical and accounting force, with lessened detail burdens on the members of the firm, the total loss of time will be less, but the gain will be offset to some extent by the increased salaries, rent and cost of office equipment and supplies. From the point of compensation the lawyer is selling his time, which has a value in proportion to his experience and skill, but in making this sale he is not in the situation of the mechanic who sells so many hours' service and who receives a net income with no deduction for heavy office expenses. The lawyer is rather in the position of the merchant who sells an article which cost him a definite sum. Before determining the sale price of this article, the merchant estimates the total expense for the year of rent, light, heat, insurance, taxes, salaries, depreciation and obsolescence on fixtures and equipment, allowance for uncollectible accounts, the usual interest or rate of return on the capital invested and all other costs of doing business. Assuming that these expenses amount to \$20,000.00, and that the probable annual sales amount to \$100,000.00, the overhead amounts to twenty per cent of the sales, to cover which the mark up must be at least that much. Before the days of profiteering,

an article costing one dollar on this basis would probably have been priced at \$1.25, the extra five cents being justified on various grounds.

At the end of the year these estimated costs are compared with the actual cost and a fair basis arrived at for predicting the overhead of the ensuing year. For the merchant the problem of determining overhead is further complicated by the necessity of keeping separate records of various departments, but this feature will be ignored in order that the general principles of cost accounting may not be obscured by a multiplicity of details. In much the same way a lawyer should estimate his overhead expenses. Assuming that the rent, light, taxes, salaries, supplies and other office expenses of a lawyer amount to \$1,500.00 per year, and that he puts in an eight-hour day, except on Saturdays, when he closes at noon, and that he takes a two weeks' vacation, we have 50 working weeks of 52 hours each, making a total of 2,600 working hours over which to distribute the overhead of \$1,500.00. On this basis the lawyer must earn fifty-eight cents per hour in each and every working hour of the day before he can receive one cent of compensation for his own services. A lawyer with such an overhead should be able to withdraw a net income of at least \$3,000.00 per year, which on the basis of 2,600 working hours per year will require a charge per hour of \$1.16 for his own services and, including the overhead, a charge of \$1.74 per hour for each and every working hour in the year. Manifestly, he can not actually charge clients directly with 2,600 hours of work per year, because a considerable portion of each day is spent in necessary labor that can not directly be traced to any particular client. Assuming that two hours of each day can not be directly traced, twenty-five per cent of the combined labor and expense charge of \$1.74 must be added to it, bringing the value of the lawyer's services per hour up to \$2.18. The lawyer with such data knows the value of his time, will be more careful in its conservation and will see

that every service bears its proper charge. It does not follow that the lawyer will bill his clients at \$2.18 per hour, or whatever his figure proves to be, as other elements already stated may influence the actual charge. The writer believes that if a survey were made of a number of representative law offices where a record is kept of all time consumed, that the average loss per day because of unaccounted time would be nearer fifty per cent than twenty-five per cent, but in order to be conservative he has based the assumed figures on the twenty-five per cent loss.

These figures exclude a very important item of expense that is universally included in mercantile cost accounting—the return on the investment. A manufacturer, establishing a new enterprise, not only expects a fair interest return on his invested capital, but if he has an up-to-date system of keeping his books will consider as having been added to that capital not only the cost of the plant and its equipment, but the lost interest on his funds during the six months or year during which his plant was in process of construction, and will add the difference between the fair return on his investment and the actual return during the two to five years during which his enterprise is getting started and is not earning a fair interest on the investment. After the enterprise is once established, the manufacturer will expect more than a bare interest return on the invested capital, for he will expect compensation for the risk he took of losing part or all of his principal, for he is not unmindful of the fact that a large percentage of such enterprises fail.

A lawyer, too, has a large capital invested in his business. On the expensive equipment of law books and office appliances, which depreciate rapidly and which have little value except to a going concern, he should earn, without labor on his part, the customary interest return on the investment plus the annual depreciation in his principal by reason of use and obsolescence. Besides this tangible capital, the lawyer has invested the direct and indirect cost of his edu-

cation, which is just as much invested capital as is that placed in the factory by the manufacturer. The direct cost of the education is the tuition charges, board, clothing, railway fares and expense of books. The indirect cost should include the salary lost during the years in college (less the cost of board and clothing which has already been charged), and also the difference between the usual salary commanded by young men and that made by the lawyer during the early years of his practice, with interest on both direct and indirect cost to the time when the lawyer's income becomes sufficient to pay a return on his investment and pay him an adequate salary for each day's labor. On such a basis, the average lawyer will find that his capital investment is much larger than he suspects. Save for the special study in acquiring an education, the lawyer could retain this capital for investment at current rate of return and, without labor on his part, be receiving the customary interest return. It is but fair for him to earn such a return on the investment in his education and office plant, in addition to compensation for his daily services as a trained and skilled professional workman. In a rough and ready way lawyers have given consideration to all of these matters in fixing their fees, but no harm and much good can come from careful scrutiny and analysis of every item of expense and investment connected with the practice of our profession.

Many lawyers have been thinking of their office problems along the general lines of this paper, but too often their discoveries remain hidden in their own offices. The time is now ripe for the manifestation of the co-operative spirit shown by the candy manufacturer heretofore alluded to. Just how these hidden short cuts and efficiency methods are to be collected and their relative merits made available to the profession is a problem large enough for the American Bar Association, though not necessarily too large for this State Association. In the matter of office equipment and filing devices, every lawyer has no doubt purchased and

then discarded perfectly good equipment that was unsuited to his requirements. Had he been able to refer to the report of an expert, employed by this or the American Bar Association, explaining the equipment best suited to various types of law offices, he could have avoided many mistakes. In the matter of accounting and labor saving forms, the report of an expert in such matters would be of even greater value.

Organizations in the mercantile world no larger than our own have employed experts in their particular lines and compiled and disbursed for the common good information that no individual alone could have acquired, and if the writer does not mistake the trend of the times, our own profession must soon take similar co-operative measures.

ANNUAL ADDRESS

The Naturalizing and Nationalizing of the Alien

HON. EVAN A. EVANS.

Rare indeed is the occasion in a man's life, or in a nation's existence, when the dominant thought or activity is inspired by a spirit of self-sacrifice. This has been our position of late. For the past few years, we have been living among the clouds—exalted and enobled by the purposes of the war, and willing to sacrifice all in order to make victory certain. Responding to these influences, it seemed to me appropriate that the problem that has been so strongly emphasized during these years, the problem of the immigrant, might well be the subject of discussion on this occasion. With this thought in mind, I chose for my subject "The Naturalization and Nationalizing of the Alien".

The problem is especially appealing at the present time. For not only is it in my opinion the most menacing one of the day, but we find the American people not only willing, but anxious, to tackle any question that deals with our national welfare,—anxious to undertake any program that will make for solidarity of national purpose and thought.

Certainly the legal profession can not plead an indifference to the question or assert a lack of interest in it. For that which tends to make for better citizenship, as well as that which tends toward the destruction of our government, must, without argument or debate, be accepted as a subject of vital interest and concern to lawyers.

I doubt if any belligerent in the late war could at this time make an accurate inventory of its affairs. We have been so recently engaged in the life and death struggle, have been so close up to the field of action, that we are still wearing colored glasses. We still see red. No master mind has as yet made the survey or filed a report that accurately mirrors the situation. That most of us underestimate our liabilities seems to me probable. That we likewise underestimate our assets seems reasonably certain. That which, in my opinion, outweighs the losses, compensates for the sacrifices and insures the fulfillment of our financial and our moral obligations, is the reawakening and the reappearance of our national spirit.

Although the past few years have witnessed the reawakening of this spirit, it has also emphasized the all too evident failure of our government to adopt an intelligent policy toward the immigrant. The immigrant like a precious metal in its native state, requires attention and treatment to become a valuable asset. He is what we make him, a burdensome liability or an asset of inestimable worth.

We can, I think, and we certainly should, approach this question, freely admitting the immigrant's worth and fully acknowledging our indebtedness to him. Regardless of any present differences in wealth, in education, in refinement or in ideals, this fact stands indisputable: America is the product of the immigrant. The American spirit, the American success, the American genius of which we so frequently boast, are, to quote another "but the resplendent harvest which is the result of the sowing of the new continent with the winnowed grain of the old". Nay more, in any audience, however select, if we but trace its ancestry back a few generations, we find them to be immigrants. It is therefore with no spirit of intolerance, or even of impatience, that I would have you approach the consideration of this question. Rather should we view it sympathetically, recognizing these people as temporary

wards to whom we owe a duty. And duty today has assumed an added meaning. It signifies opportunity.

Speaking before such an audience as this I know that I need not apologize for dealing in facts. My subject necessarily deals with facts. No class of people appreciate more fully than the members of the bar the persuasive power of cold facts. The immensity of this problem, its far reaching consequences, the wonderful possibilities for good or evil resulting from a sane or a neglected policy are all indicated by these facts.

I have prepared here a chart that shows the waves of immigration that have rolled across the Atlantic in ever increasing volume. It also shows the tendency of each decade as well as the yearly arrivals.

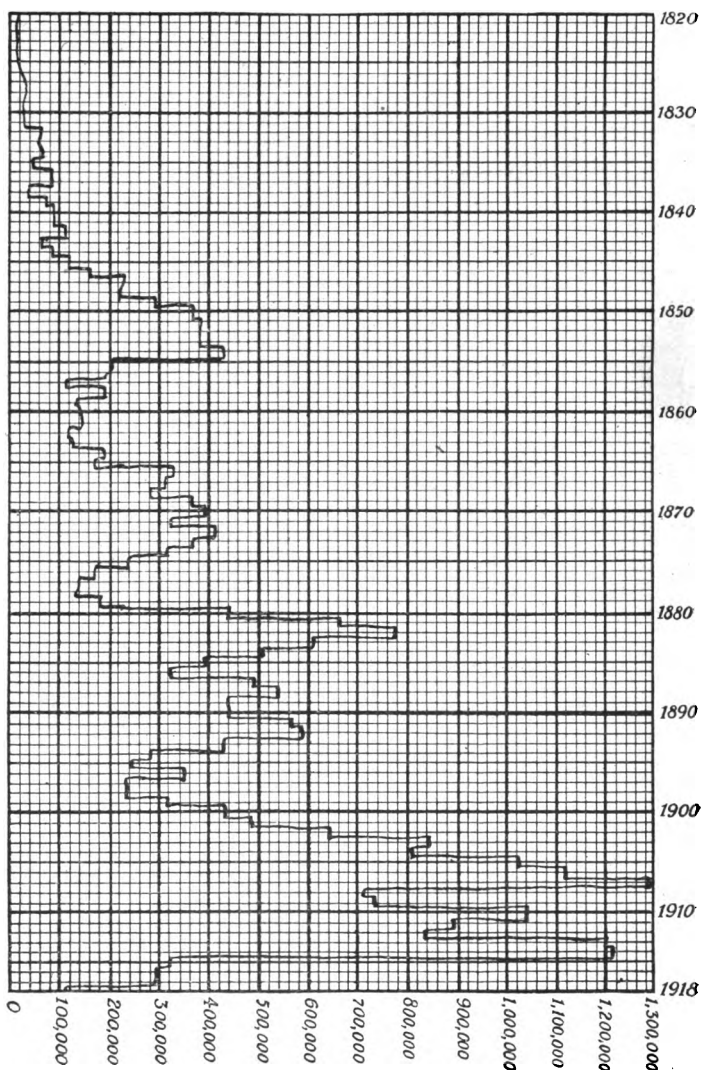
Beginning with 1898, the yearly arrivals increased six hundred per cent in nine years. From 1905 to 1914 inclusive, a grand total of ten million, one hundred and fifty thousand immigrants arrived. In 1913 and -14 there came two million, four hundred and twenty thousand immigrants. Each of these years produced more immigrants than came to us from 1820 to 1845 inclusive. In other words, in each of these years, more arrivals are recorded than in a twenty-five year period during which the country was ripe for settlement. During the period from 1905 to 1914 as many arrived as from 1820 to 1880 inclusive. In each of the years from 1910 to 1914 there came three times as many immigrants as there are people in your beloved city of Indianapolis. You may well boast of your state of Indiana—of its size—its growth.—Yet in two years as many immigrants arrived as there are people dwelling in the entire state of Indiana. Could a policy that may have been justifiable, at least excusable, during the earlier period be justifiable now, in the face of these figures?

Not only has the total number of immigrants rapidly increased, but their character has changed as well.

**WAVE OF IMMIGRATION TO THE UNITED
STATES FROM ALL COUNTRIES DURING THE PAST
99 YEARS.**

Arrivals 1820 to 1918—33,058,971.

Estimated arrivals 1776 to 1820—250,000.



This is accurately and well set forth in a statement by that recognized authority, Mr. Howard C. Hill. He says:

"In fact, down to 1885, by far the major number of foreign immigrants to the United States hailed from the countries of Northwestern Europe. With few exceptions these settlers possessed ideals, customs, standards of living, modes of thought and religion of the same general tenor as those of the earlier settlers. Illiteracy was uncommon, education was highly esteemed; for the most part homes were established in farming communities, and * * * there was little tendency among the incomers to settle in racial groups. In short, down to 1880 or 1885, foreign immigration presented few obstacles to successful Americanization.

"But about 1885 a change began to take place. In larger and larger waves, immigrants began coming from southern and eastern Europe. Whereas before 1885, nine-tenths of the incomers were from the countries of northwestern Europe, by 1905—twenty years later—three-fourths of them had, as their birth place, the countries of Southern and Eastern Europe. In these latter countries religion was different, customs, habits and to some extent, ideals, formed striking contrasts to those of northern and western Europe. Illiteracy ranged from 13.7% in Austria to 78.9% in Serbia. Whereas in our earlier immigration the illiteracy of immigrants has occasionally been less than that of native Americans, in 1910 12.7% of the foreign born were illiterate against 3% of the native Americans. Most serious of all, perhaps, was the fact that, unlike the earlier immigrants, many of the late comers manifested no intention of making America a permanent home and no desire of becoming Americans."

Speaking of conditions disclosed by the last census, Commissioner of Education Claxton says:

"In 1910 there were in the United States approximately 13,000,000 foreign born persons and about 20,000,000 more with one or both parents born in foreign countries. About 3,000,000 of the foreign born over ten years of age could not speak English, and about 1,650,000 could not read or write in any language. Nearly fifty per cent of the foreign born population were males of voting age, but only four in every 1,000 attended school to learn our language and citizenship. Over 4,000,000 additional aliens were admitted between 1910 and 1915."

From the last census report we are able to extract the following essential information. There were at that time in the United States 13,000,000 persons of foreign birth and 33,000,000 of foreign origin. By foreign origin I refer to those who either were foreign born or whose parents, or one of whose parents, were born abroad. Over one hundred different foreign languages were spoken in the United States. Over thirteen hundred foreign language newspapers were published in the United States, having a total circulation of ten million. Five million persons in the United States were unable to speak the English language. Of these five million, two million were illiterate.

There were three million unnaturalized persons in the United States of military age.

In 1910, thirty-four per cent of the alien males of draft age, twenty-one to thirty-one, were unable to speak English. That is to say, nearly one-half of the registered alien males, between twenty-one and thirty-one years, were unable to understand military orders given in the English language. To be more specific, of the first 2,000,000 men who answered the draft call and reported to the military

camps, 200,000 were utterly unable to understand a military order given in the English language.

War industries were largely dependent upon alien labor. 57% of the employees in the iron and steel industries east of the Mississippi, 61% of the miners of soft coal, 72% of the workers in the four largest clothing manufacturing centers, and 68% of the construction and maintenance workers on the railroads were foreign born.

Only one and three-tenths per cent of the adult non-English speaking aliens are reached by the schools. Many large schools in American cities have spent more money teaching German to American children than teaching English to the non-English speaking alien.

I have prepared here a second chart showing the illiteracy, the number of illiterates attending school, and the number of aliens unable to speak the English language in the United States.

**FOREIGN-BORN WHITES UNABLE TO SPEAK
ENGLISH, ETC. CENSUS 1910.**

Age Limits.	Inability to Speak English.	Illiteracy.	School Attend- ance.
10 years of age and over -----	2,953,011	1,650,361	446,745
15 years of age and over -----	2,896,606	1,637,677	138,253
21 years of age and over -----	2,565,612	1,507,493	35,614

Most important are the figures showing 2,565,612 aliens in the United States over twenty-one years of age unable to speak the English language, one-half of whom are illiterate, and only 35,614 are reached by any school.

But if these facts be not persuasive of the need of immediate and constant attention to the foreign born in our country, let me call your attention to some local condi-

tions. I quote from the official handbook of an organization existing in the United States whose numbers are variously estimated from 75,000 to 200,000 and which organization boasts a total membership much larger and constantly growing. I refer to the organization commonly known as the I. W. W., and the authority from which I quote was acknowledged in open court as being an authorized expression of the views of this organization.

"As a revolutionary organization, the Industrial Workers of the World aims to use any and all tactics that will get the results sought with the least expenditure of time and energy. The tactics used are determined solely by the power of the organization to make good in their use. The question of "right" and "wrong" does not concern us.

"No part of the organization is allowed to enter into time contracts with the employers. Where strikes are used, it aims to paralyze all branches of the industry involved, and when the employers can least afford a cessation of work during the busy season and when there are rush orders to be filled.

"The Industrial Workers of the World maintains that nothing will be conceded by the employers except that which we have the power to take and hold by the strength of our organization. Therefore we seek no agreement with the employers.

"Failing to force concessions from the employers by the strike, work is resumed and 'sabotage' is used to force the employers to concede the demands of the workers."

It would be both inaccurate and grossly unjust to assume that this organization is composed exclusively of the foreign born. More unfair even would be the suggestion that our foreign population in any considerable per cent entertain these views. But unfortunately the organization's membership contains such a large percentage of this

foreign class, the officers and promoters are so largely aliens, that its existence may well be viewed as an indirect, if not a direct problem arising out of our failure to Americanize our immigrants.

This, then, in brief, is the problem. Wherein may we find the remedy?

Up to within a few years the only recognized provision for nationalizing the alien was in the court proceeding which resulted in his naturalization. While some changes have been made in the naturalization laws,—the proceedings no longer being *ex parte*, the government being represented at each hearing; and in some of the larger cities night schools are maintained to teach a little English, to inform the applicant that it is wrong to shoot the president, to have more than one wife, that the head of the state is its governor and that Congress makes the laws, etc., it must be apparent to even a casual observer that the court proceedings which result in a naturalization decree are no adequate substitute for the forces that must work for the nationalizing of the alien.

Let me take a leaf from my experience.

I was sitting in the District Court at Chicago to hear applications for naturalization.

There were one hundred and eighty-seven applicants, subjects of eight different countries, each applicant accompanied by two witnesses. Of this total number, two stand out as typical of the possibilities open to the immigrant. The first was a young man, clear of eye and attractive in appearance, who at first glance impressed the court as quite unusual. When his name was called, the examiner announced that he recommended this applicant without any questioning. But I was interested and questioned him and this was his story.

He was born in Russia, came to this country at sixteen, could not speak or read English, was almost, if not quite illiterate. He was one of a large family and immediately sought and secured work. Learning that night schools

were in existence and open to him, he, for the limited purpose of acquiring a knowledge of the English language, attended. Finding no entertainment more attractive he continued this course until he was fairly well informed in the three R's. He said he could read English newspapers. His earnings increased with his years. Some one suggested to him the possibility of a better education. He learned of the university at Champagne and entered as a special student. In four years he graduated with creditable marks as a civil engineer. He had for a year held a remunerative and responsible position. He was married and twenty-six years of age.

This simple tale outfables fairy lore. Picture, if you can, this little Jewish boy arriving at Ellis Island, hungry, penniless, with scarcely enough clothing to keep him warm, illiterate, a stranger to our ways, our customs, and our ideals.

In ten short years, he traveled all the distance from ignorance to education, from poverty to comfort, from the illiterate alien to the intelligent American citizen. The skilled oculist who removes the cataracts from the eyes of the sightless and restores the most precious sense one may possess, performs no greater miracle than was accomplished by bringing this boy and opportunity face to face.

Shortly after this candidate was disposed of, another applicant appeared who, too, received the approval of the examiner and was recommended for citizenship without examination. He, too, favorably impressed the court. His face, his appearance, his demeanor, his witnesses all invoked my confidence. I made inquiry, however, and found that he spoke English brokenly, that he answered questions relating to government affairs hesitatingly and somewhat inaccurately. He was a skilled mechanic about fifty years of age, married and the father of eleven children. He had been in this country over twenty-five years. I inquired of his children's education and he promptly assured me that he had sent them all to school. I asked if

they went to the public school and he replied in the negative. I asked him how far he lived from the public school, and he replied a couple of blocks. Upon inquiry as to whether the school he sent his children to was conducted in the English language, he answered "No".

Need there be comment upon these facts?

One of these applicants availed himself of the opportunities afforded by our public schools. The other to the end of the chapter must go limping through life, handicapped in speech, a foreigner in our land. In his children there was a ready means at hand that would have overcome the difficulties of speech. With our language mastered, he would have been provided with the key that would have unlocked the door to American life.

The naturalization and the immigration laws both must be amended. Sympathy we should have for the position of the immigrant, but firmness in dealing with him must be the policy of the government. Without discussing each proposed amendment in detail, let me briefly make a few suggestions.

(a) The immigrant who comes to this country to reside permanently and who does not apply for naturalization within a given period of time should be returned.

There were disclosed by the draft 3,000,000 aliens in our country between twenty-one and thirty-one. The percentage of aliens who do not take out naturalization papers has steadily increased. During the war we witnessed many cases of aliens who remained at home, seeking the remunerative position of the citizen while the latter offered his life for his country. This should not be tolerated. If the immigrants who come here to enjoy our opportunities are not willing to assume the obligations of citizenship they are not wanted.

(b) The immigrant should be compelled to learn our language,—not only to speak, but to read it, and this should be done within a designated period, say five years, under penalty of deportation. During the five year pro-

bation period he should be required to report to some government official.

(c) Any naturalized citizen, also any alien, convicted of certain designated criminal offenses including any crime involving disloyalty to this government should be subject to deportation.

(d) The decree of any court naturalizing any alien should expressly provide for its vacation if it be made to appear that the citizen after naturalization, by word or act, disproved the professed loyalty asserted when the oath of citizenship was administered.

The Supreme Court in *Johannessen v. United States*, 225 U. S. 227, has set at rest the right of Congress to enact any necessary legislation upon this subject. I quote from the decision of Judge Pitney, speaking for an undivided court.

"Sound reason, as we think, constrains us to deny to a certificate of naturalization, procured *ex parte* in the ordinary way, any conclusive effect as against the public. Such a certificate, including the "judgment" upon which it is based, is in its essence an instrument granting political privileges, and open like other public grants to be revoked if and when it shall be found to have been unlawfully or fraudulently procured. It is in this respect closely analogous to a public grant of land (Rev. Stat., Sec. 2289, etc.), or of the exclusive right to make, use and vend a new and useful invention. (Rev. Stat., Sec. 4883, etc.)"

Quoting approvingly from the opinion of Judge Cross, the court further says:

"An alien friend is offered under certain conditions the privilege of citizenship. He may accept the offer and become a citizen upon compliance with the prescribed conditions, but not otherwise. His

claim is of favor, not of right. He can only become a citizen upon and after a strict compliance with the acts of Congress. An applicant for this high privilege is bound, therefore, to conform to the terms upon which alone the right he seeks can be conferred. It is his province, and he is bound, to see that the jurisdictional facts upon which the grant is predicated actually exist, and if they do not he takes nothing by his paper grant."

"That the government, especially when thereunto authorized by Congress, has the right to recall whatever of property has been taken from it by fraud is, in my judgment, well settled, and, if that be true of property, then by analogy and with greater reason it would seem to be true where it has conferred a privilege in answer to the prayer of an *ex parte* petitioner."

The power to regulate this question by Congress is not open to debate.

Nor would the government need to exercise its powers frequently. Lincoln was not called upon to send but one Valindingham across the southern line. Many a foreign born citizen of this country would have manifested quite a different attitude during this war had he appreciated the possibility of his naturalization decree being vacated or that he was subject to expatriation.

(e) The qualifications of the arriving immigrant should be more thoroughly investigated. While our doors should be open to the deserving immigrant we cannot afford to permit this country to be Europe's dumping ground.

But most important of all is the need of personal interest and personal attention after the immigrant arrives.

The naturalization of citizens is a Federal governmental function. It could, I believe, be best performed by the Federal courts. Do not, however, misunderstand me. I am not comparing the work of Federal and state courts.

I do not infer superior ability or more painstaking efforts to the Federal courts. But we would have greater uniformity in rulings, in procedure and better opportunity for impressive service. The naturalization of a citizen should be a solemn and serious proceeding. Instead of the court being open almost continuously before election, there should be appointed dates when large classes could be examined. The witnesses should be selected by the government and not by the applicant, and the final proceedings might be the occasion for an address by a successful man of large experience and broad sympathies, preferably of foreign birth.

The naturalization fee should be raised to a sum not less than one hundred dollars for each citizen. But this one hundred dollar fee should go into a trust fund to be devoted to but one purpose. It, or the interest upon it, should be used to assist the immigrant from the date of his arrival until he can stand alone,—on his own feet. Of what use is all our discussion, all our enthusiasm, all our plans, if the immigrant upon arrival in New York or Boston enters a colony of his own race, speaks his native language, follows his native customs, and with characteristic vigor curses the United States, its government, its officers and its people. Why not conduct some of these arrivals straight through the city out to our undeveloped agricultural districts? If the United States government can advantageously appropriate hundreds of millions of dollars to promote the agricultural cause and loan this money to farmers who reside in undeveloped communities, would not a similar appropriation to develop the immigrant be equally justifiable?

Nor is the one hundred dollar fee too high. Can a man who pays thirty or fifty dollars for joining a fraternal lodge object to paying one hundred dollars for the rights and privileges of a citizen? And this fund would make possible the rendition of valuable assistance in seeing that the new comer is provided with labor, that he gets into a

school and that his housing and social surroundings are healthful and wholesome.

In brief the immigration and the naturalization laws should be amended with the single and sole thought in mind that America is for Americans and Americans should be for America; that the immigrant who won't get into our melting pot and melt,—who does not Americanize in five years is not desired.

But at best, with all amendments to the naturalization and immigration laws enacted, nationalization requires the influence of many other forces. Among them are schools, newspapers, churches, theatres and lectures. Of them all, doubtless the public school can be made the most potent instrument for Americanization. That it has not met the test better has been due, not to the school, but to our failure to give it more opportunity. It is rather mortifying to know that we spend twice as much money on chewing gum as on children's school books,—more money is spent annually on automobiles than on all our primary and secondary education,—that we pay our average laborer much more than we do our school teacher.

Can we hold the public school responsible when certain states permit thousands of children to attend the schools other than the public? Can this institution be held responsible for the failure of the young to learn English when a state permits its youth to be taught in other languages in other schools? If the state makes education compulsory only until the child reaches sixteen, can the public school system be at fault because the immigrant who arrives after reaching that age remains illiterate?

If the public is justified in maintaining public schools that the public may be benefited by the education of its citizens, what justification can we find in any age limit? If the compulsory part of the law is justified on the ground

of public policy, should it not extend to all who are illiterate? The education of all our people is a public problem. The consequences flowing from its neglect falls upon the public. Then why should the public delegate its authority to others? Why hesitate to take advantage of our opportunities?

In recognizing that education is essential to good citizenship the employer of labor has been in advance of the professional man and the school man. It is the employer that is responsible for the night schools and the factory schools. He has exerted a direct influence upon the public school boards whereby the courses of study have been changed, but the changes are insufficient. Instead of a smattering of manual and vocational training, much more time should be given to this subject.

In this Americanizing work,—this educational campaign,—we cannot lose sight of the fact that the immigrant has as much to contribute as we. It is no one-sided undertaking. We are by no means the perfect people. The instructor who imparts, but does not acquire knowledge by the course he teaches fails to measure up to the ideals of his profession.

In no plan of campaign has this thought found better expression than in the work carried on in Wisconsin under the guidance of one Professor Lescoghier of the University. Well has he expressed it when he says:

“But Americanization is more than this. It is as necessary for Americans to understand the peoples who have come to them from foreign lands as for those peoples to become acquainted with Americans. Every people whose feet have pressed our soil has brought to us traditions, customs, capacity, ideals and personal qualities which are of inestimable value to America. Every race or nationality when it first came to our shores had to start at the bottom of the economic ladder. It is

as necessary to help the American understand the new-comer and appreciate the contribution which he will make to our national life as to help the immigrant understand the American."

But we hear many who fear the growth of nationalism lest it stifle the spirit of internationalism. We are told by them that it is the national spirit that makes possible our wars. Let the history of this country for the past three years furnish its own answer.

Who was it that first heard the cry of anguish across the Atlantic? No stethoscope was required by the nationalist to hear the heart beats of the Belgian mother, bereft of her child, separated from her husband and subjected to indignities worse than death itself?

Was it not the internationalist, who with folded arms and resigned countenance asked this government to put an embargo on foreign shipments of arms and munitions and food stuffs, for they shuddered at the thought of one man killing another, when at the same time crimes that only Hell could invent and fiends execute poisoned the sight of freemen.

Was it not the ultra-nationalist who scornfully rejected the proposal to sit by as a neutral and profit from both sides, while the rights of humanity were trembling in the balance?

And it was for humanity's sake that the United States declared war. You may talk of a war of self defense, of a war to protect our rights on the high sea, of a war to prevent a conspiracy to disturb our peace at home, but none of these reasons truly describes the cause for which we entered the conflict. The United States entered the war because the cry of Belgium and outraged humanity rang through the land, touched the heart and entered the home of every real American. We went to war because

as a people we recognize the obligation of a *people* to a *people*.

Be not deceived my friends by the claims of the internationalists.

It is by their deeds and not their words that we should judge the claims of both. So judged responsibility for the brightest page in our history must be given to those who are nationalists first and internationalists because they are good nationalists.

No people that raised \$300,000,000 by voluntary subscription to maintain an organization like the Red Cross can be successfully found wanting in appreciation of their obligation to the world. Are the one hundred thousand families that are now each maintaining a fatherless French child wanting in sympathy for people of other countries? Were the millions raised to help Armenia given with any selfish thought that in the end it meant added profits or future business? No my friends, a fair examination of the evidence convinces the court, to borrow a common expression, that the claims of the internationalists are not supported in fact.

But what is this spirit of America? When may the immigrant be so thoroughly inoculated that his loyalty to this government is beyond dispute or doubt? These are questions for which I have vainly sought a satisfactory answer.

We can sometimes better define a term by a process of elimination, sometimes in terms of its equivalent, sometimes by its manifestation. Let us try each.

That ability to speak English or to acquire an education is not necessarily its equivalent, is self-evident. While firmly believing that a good education and familiarity with the English language are the two foundation stones upon which the spirit of America is built and must be the basis

of government action in respect to the alien, it is apparent that there have been thousands outside this class whose lives have won for them our admiration, our affection and our gratitude. Perhaps no one I can now recall better illustrates this class than the man whom my state of Wisconsin so loved to honor and whose memory is still revered. I refer to Carl Schurz. This man and the thousands who came with him from 1849 to 1870 possessed the spirit of America before they ever put foot on American soil. No compulsory education was here necessary. No school was required to teach them to love our rocks and rills, our free and open life, our national games and pasttimes, our fondness for winning, our sportsmanship in losing. They at once contributed bountifully in ways spiritual as well as material to our national existence.

It is more than passing strange that some, a few of their descendants, three generations removed, living in comfort if not in luxury, should evidence a divided loyalty when the nation applied to them the supreme test of citizenship. At the same time, it is doubtless the most unjust and pathetic incident of the war that the thousands of our citizens of German ancestry who typify in its most exalted form the true spirit of America should have been placed under a cloud, their actions misconstrued, their motives doubted, by the disloyal conduct of the few.

By the process of elimination, to what extent may we narrow the issue? Not much, yet some. The individual who appeals to national or religious or class prejudices for his business or political preferment, or who uses that argument against another does not meet the test. An official who would trade any tenet of the Treaty of Peace to catch the hyphen vote of the country is not fit to sit in the United States Senate or hold the lowliest office in your state. The man who views the treaty or any other public question from the standpoint of a resident of Berlin or of Dublin or of Palestine instead of from the standpoint of a citizen of the United States of America has not

the proper spirit; the individual who does not believe in the rule of the majority, but openly opposes the action of the chosen representatives of the majority has not that spirit. Men who measure the value of their services by the money wage they receive and government officials who resign their offices only because of more tempting salaries in private life, have not that spirit.

I said we might know the spirit of America by its manifestations. And it has ever been present.

This spirit first manifested itself when in 1775 the Continental Congress called for six companies of expert riflemen from the mountains of Virginia, Pennsylvania and Maryland. There were no slackers in the Alleghenies, and instead of six, twice six companies came. With rifles and powder that they themselves made, with parched corn their only rations, they marched six hundred miles to Boston and the cause of the colonies was won. These were the first Americans. They had drunk the wine of liberty on the mountain tops, had seen the vision of the great republic that was to be along the banks of the Ohio and the Mississippi.

And we are their heirs, heirs alike to the opportunities which their visions beheld and to the duties which their consciences created.

It was the same spirit back of the men who fought with Jackson at New Orleans, laid down their lives at the Alamo, cheered and charged with Hooker "above the clouds at Look Out", followed Roosevelt through the ditches and over the barbed wire barricades at El Caney, who fought the fever and the Philipinos in the jungles about Manila, and who at Chateau Thiery, met and crushed the greatest fighting machine ever assembled. After a hundred and fifty years the American is still unchanged; in spirit, in motive and in method, unique in the history of mankind. No society, not education nor wealth, has defeated this spirit. The same appeal quickens the heart throbs in 1918 as in 1860, or in 1776.

It was his versatility and his individuality, at home and at the front, that wrought such miracles in 1918. With a single regiment of his ilk, you can build and operate a railroad, a steamboat or a telegraph, edit and print a newspaper, create a constitution, make laws, administer courts of justice, create sanitary systems and enforce them. While from a single brigade you can fill a great university with students and professors.

Inflexible in battle, he is magnanimous in victory. Conquers the enemy one day and the next builds for them, as was done in the Philippines, railroads and telegraphs, school houses and churches,—erects free governments, creates new civilizations. In time of war, he is a citizen in arms, who "carries a bayonet that thinks and whose musket, loaded with a principle, brings down not a man but a system"; a citizen in arms who has no taste for the fort or camp in time of peace; would not enlist but to fight, nor would he consent that others should do his fighting for him.

One who possesses this spirit must recognize that the nation's honor is as sacred as his own. And we must not forget that there is one thing more dangerous to national supremacy even than war and that is the loss of national honor. "The right is more precious than peace". The love of liberty, of justice and humanity among a people cannot be measured in trade balances or clearing house showings, and human endeavor and human life itself may become contemptible if purchased by the surrender of high aspirations and lofty ideals.

This spirit of which I speak must at all times be manifested by loyalty.

There is something particularly attractive about this quality of loyalty. Its value, though much maligned these days, cannot be over-estimated. Place your trust in the individual who is loyal,—loyal to family, loyal and proud of his ancestry,—loyal to his community, to his state, to his country,—loyal to his convictions, to his employer and

to his employment. And this quality glows as radiantly in the conduct of the master as in the servant.

To sum it all up in a word, the alien born or the native born citizen can meet the test of citizenship when and only when he recognizes that every right of a citizen carries with it a corresponding duty, every privilege, a corresponding obligation, when he fully appreciates that this is an orderly democracy, wherein the majority rule, but only in the manner prescribed by law; and that laws enacted by duly chosen representatives must be obeyed until modified or repealed.

In concluding, my friends, may I not suggest that to help the alien breathe this spirit,—to contribute our part in preserving it,—to highly resolve that it shall remain undimmed,—is a work to which we can dedicate ourselves willingly and devotedly.

IN MEMORIAM

RALPH B. APPLEWHITE.

ALLEN BOULDS.

JACKSON BOYD.

EDGAR D. CRUMPACKER.

EDWARD DANIELS.

PHILIP WILLIAM FREY.

EDWIN POLLAK HAMMOND.

LAWSON M. HARVEY.

ERNEST ROBERT KEITH.

GEORGE H. KOONS.

STEWART T. McCONNELL.

WILLIAM C. PURDUM.

WILLIAM A. ROACH.

SAMUEL M. SAYLER.

ISAAC E. SCHOONOVER.

JOHN G. WILLIAMS.

RALPH B. APPLEWHITE.

Ralph B. Applewhite was born at Brownstown, Indiana, August 3, 1874. He attended the public schools, DePauw University, Hanover College, and one year at the Law School of Indiana University. He organized a company, of which he was made Captain, and served throughout the Spanish-American War. After his release from military service he was engaged in the banking business at Brownstown for a number of years. He entered upon the practice of law in 1907 in partnership with J. Ross Robertson, under the firm name of Applewhite & Robertson, which relation continued until his death.

June 5, 1900, he was married to Myrtle Bolles, who, with one son, James R., survives him. He was a member of the orders of F. & A. M., I. O. O. F. and Knights of Pythias. His health had been impaired for a number of years, but despite his physical infirmity he entered the officers' training camp at Fort Benjamin Harrison, and made a heroic effort to prepare for actual warfare during the world war, but found it impossible to meet the requirements. He died at Brownstown, February 10, 1920. Captain Applewhite was intensely patriotic, and had a genial, generous and lovable disposition, and his untimely death was sincerely mourned by the community in which he lived and a wide circle of friends throughout the State.

ALLEN BOULDS.

Allen Boulds was born in Jackson Township, Tippecanoe County, Indiana, February 3, 1871. He died November 17, 1919. He was born and spent his life in Tippecanoe County, Indiana; and he received his education in the common schools and later in Danville Normal School and Valparaiso Normal of Valparaiso, Indiana. He studied law

under the tutelage of Judge R. P. Davidson and was admitted to the bar and became a member of the firm of Davidson & Boulds, which continued until the death of Judge Davidson April 19, 1909; after which Mr. Boulds practiced alone until the time of his death.

JACKSON BOYD.

Jackson Boyd, whom every one knew as "Jack", and who would prefer to be known thus in this sketch, died at his residence in Greencastle, Indiana, on March 16, 1920. He was a son of William and Catherine Boyd and was born in Putnam County, Indiana, March 25, 1861. His father was a soldier in the Union army of the Civil War and died through starvation in Andersonville prison, when "Jack" was a mere child.

Jackson Boyd was a child of the plain people and he knew every experience of poverty. He was endowed with a strong body, a striking figure, and a vigorous mind which had an unconquerable thirst for knowledge. His education which reached well on into a college course he attained through his own efforts. He held many positions as a teacher in Indiana and other states, and was always an inspiration to his pupils.

When he was about thirty-five years of age "Jack" decided to become a lawyer and entered the office of Hon. Delano E. Williamson, one of Greencastle's noted lawyers, as a student. Soon he opened an office on his own account, where he practiced alone up to the time of his death. He developed a successful practice covering a wide range of business.

Measured by modern standards, Jackson Boyd was not a great lawyer; but he had an understanding mind. He loved justice and was impatient with technicalities. He never lacked courage, was always honest and never forgot

the poor. "Jack" was never too busy to listen to the man who could not pay a fee.

In the political life of his time "Jack" took an active part. He served four years in the Indiana Legislature. Those who came in conflict with him can never forget him. He was noted for his steadfast convictions which he never concealed and which he was always ready to defend. To him a political party was always a means and never a master.

The real Jackson Boyd was not in his life as teacher or lawyer; his consuming passion was for books and literature. "Jack" was a martyr to his love of knowledge; he gave his life that the world might really know more. The sickness which caused his death was superinduced by his strenuous labor on a philosophical book—"The Human Situation in Nature", which will be published soon.

The walls of his home were covered with books which embrace the best fruits of the world's knowledge concerning history, science, literature and religion. He did not buy these books for ornaments; they were the working tools of a child of God seeking to unravel the mystery of the universe.

There was no course of reading too stupendous for him to undertake, and the continuity of his application was marvelous. On his office desk you could always find the open volume, and on every table in his house he kept within his reach some book which he was reading. Even on the chair in the bath room there were books with the turned down page, and in his traveling bag which he last carried, there were a half dozen volumes. Nothing but his meals and his slumber separated him from his books.

Jackson Boyd thought in advance of the multitude; he was an explorer establishing new harbors on intellectual seas. He had real intellectual courage. He was not afraid to stand alone. The location of the majority did not affect him. He often changed his mind, but none of his convictions were ever tagged with a price mark.

Jackson Boyd had a great religion. He believed that religion is the sweeping harmony in the souls of men which makes a helper of everyone and awes us all with a presence felt but not understood. He did not chant creeds, but he performed deeds. He did not regard life on earth as a mere trial court for the hereafter, but to him it was a link in an unbroken chain of advancement. To him eternal life was a process and not a prize given in exchange for a belief. He loved justice and was willing to be crucified in its defense. He hated cant and hypocrisy and longed that all men might be frank and free. His temple was an unchained mind, and the incense upon his altar was the tenderness of a great soul.

In his zeal to find the truth and combat error, he might sometime appear brisk and impatient, but he was as tender hearted as a child. His God was the father of all life, and he recognized a kinship with every living thing. He protected dumb animals from abuse and neglect. He fed the birds in the winter time. The stray dog and the unfortunate kitten were nourished from his table. It is worth remembering that one Christmas day he taught the kindness of the Master of men by giving a coin to every boy who would promise not to abuse a dog or rob a bird's nest.

The great mind of this man understood it all. From the very beginning of his sickness he signalled the approach of the end. He was too tender hearted to chill the hope of friends, but every day he gently pointed out what was coming. He thoroughly understood himself, and to his most intimate friends said, "this whole thing is the result of the peculiarities of Jackson Boyd".

In his illness he was the embodiment of patience and gratitude. He had a word of thanks for every helper at his bedside, and seemed more solicitous about their comfort than his own. He was conscious to the end; he understood it all, and marched serenely into the arms of death. His last words were, "I am dying; no doctor can save me now; good bye; I thank you for what you have done for me".

EDGAR D. CRUMPACKER.

Edgar Dean Crumpacker was born in Laporte County, Indiana, May 27, 1851. His great-grandfather, John Crumpacker, emigrated from Holland to Maryland in 1774, but later removed to Virginia. The grandfather located in Indiana in 1832, where Theophilus Crumpacker, Edgar's father, was born.

The son, Edgar, received his early education in the district schools of Laporte County and in a local Methodist College at Valparaiso, now known as the Northern Indiana Normal. He was graduated here in 1872, and pursued graduate studies in Indiana University. He was admitted to the bar in 1874, having studied law with Judge W. C. Talcott and Judge William Johnston, both of Valparaiso, the latter having been his predecessor in Congress.

He was prosecutor for the circuit containing Lake and Porter Counties from 1884 until 1888. On the creation of the Indiana Appellate Court in 1891, Judge Crumpacker was appointed one of the five justices and served until 1893, when he resumed the law practice in Valparaiso.

He was elected to Congress from the tenth district of Indiana in 1896 and served continuously until March 4, 1913. He married April 20, 1879, Charlotte A. Lucas, who survives him, together with three sons, Owen L., of Valparaiso, Frederick C., of Hammond, and Maurice E., of Portland, Oregon. He died in Valparaiso and was buried there May 22, 1920.

Judge Crumpacker was an industrious and faithful lawyer, serving his clients with energy, ability and absolute loyalty. During the two years in which he was on the appellate bench, he displayed judicial qualities, which would have justified his retention on the bench and gave high promise of future eminence among the judiciary of the state. His opinions are concise and yet exhaustive, and his decisions eminently just and fair. During the sixteen years in which he was a member of Congress, he achieved

a nation-wide reputation as the advocate of a measure drafted by himself which provided for the reduction of the congressional representation of the states which by any means denied the exercise of the suffrage to any class of citizens. This bill he pressed with signal energy, courage and ability, but without success. A strenuous partisan in politics, Judge Crumpacker, during his entire career never let his political views interfere in any way with the substantial service he was able by his industry and ability, as well as by his eminent fairness, to render to his constituents or the Nation.

EDWARD DANIELS.

Edward Daniels was born in Lafayette, Indiana, April 18, 1878, the son of Joseph and Azilda (Lord) Daniels. The few opportunities he had for education were eagerly embraced, and, although he was practically self-educated, he was really well taught and exceptionally well informed. He was a man of agreeable manners and was universally popular, and was also an exceedingly industrious and successful lawyer. Beyond the demands of a large practice, he gave his time almost wholly to public service, being ever active in all matters in which the welfare of the community was concerned. He was known throughout the state for his public spirit and in his community by the fact that he gave much time from a large and remunerative practice to the championship of the cause of the poor and oppressed, which he rendered without compensation.

At the time of his death he was secretary of the Tipton Chamber of Commerce and was active in Chautauqua work of which he had been one of the originators in his community.

In 1918 he was the unsuccessful candidate of his party for circuit judge.

November 13, 1898, he married Miss Elizabeth Staats, of Tipton, who, with his son, John, aged 15, and his daughter, Helen Louise, two years younger, survives him.

He died in Tipton, February 4, 1920.

PHILIP WILLIAM FREY.

Philip William Frey was born in the city of Evansville, Indiana, on the 9th day of July, 1857, the only child of Louis and Rosalie (Roser) Frey, and lived in Evansville until his death, which occurred on the 23d day of July, 1919, while visiting at the home of his daughter, Mrs. David Beehler, in the city of Chicago, Illinois.

He attended the graded schools and the High School of Evansville and upon graduation entered the offices of Judge Azro Dyer, where he studied law. He was admitted to the bar on November 20, 1877, and continued actively in the practice of his profession until his death. During those forty-two years he appeared as counsel in many courts, including the courts of last resort of State and Federal Governments.

In 1882 he was elected prosecuting attorney for the circuit then composed of Vanderburgh and Posey Counties, and was re-elected in 1884, serving with distinction and credit.

He was married to Hattie Loewenthal, of Leavenworth, Kansas, on December 22, 1886, and is survived by his widow and their daughter, Mrs. David Beehler, of Chicago, Illinois.

In 1892 and 1893 he served under appointment of Governor Hovey as a member of the Indiana Commission to the World's Columbian Exposition.

He was a member of many social, fraternal and philanthropic organizations. He served a large clientele and at, and for some years prior to his death, was the district at-

torney for Indiana for the Louisville & Nashville Railroad Company.

In 1908, he formed a law partnership with John D. Welman and G. Riley DeBruler and, upon the retirement of Mr. DeBruler, continued the partnership of Frey & Welman until his death.

He was Past Exalted Ruler of Evansville Lodge, Benevolent and Protective Order of Elks; he served as president of District Grand Lodge No. 2, Independent Order of B'Nai Brith; and for twenty years or more he served as a trustee of his church, Congregation B'Nai Israel, of Evansville, Indiana. He was a member of the American Bar Association, the State Bar Association, and the Vanderburgh County Bar Association, which last named body he served as president for three years.

His education began in that typical American institution, the common schools, followed by never-ending close personal application, study and research, and a graduation in the great university of observation and experience, and by association in fields of literature and art with the best and broadest minds of all time, he was endowed by nature with a faculty of selection of the best, with which he surrounded himself and took therefrom sufficient to store his mind, so that he was always ready to illumine the occasion with statements that were concise and clear, with reasoning and logic that was sound, and with diction perfect.

In all positions taken or held by him, he knew no motive but justice and had no guide but legal lore. His aims and ambitions were always for the uplifting, upbuilding and betterment of his fellowman. He exercised and practiced the spirit of the law rather than the letter, and to his mastery of the principles of his profession he added the spirit of justice and they were ruling passions with him. From his wonderful store-house of learning and wisdom manifested in all his professional actions, his declaration of legal principles were clear and faultlessly concise, never

wasting in repetition the strength of his coherent declarations.

He was not what might be termed solely a "case lawyer," but rather his viewpoint took him back to the fundamentals from which he reasoned, for he could see the merits of a controverted point with an eye that could nearly always apply an unfailing test. Such a lawyer and advocate was he that he was intellectually courageous and professionally progressive, aggressive but not contentious, firm in his convictions but not obstinate, masterful but not bigoted. His resources were his learning and acquired knowledge, and if he changed positions in a controversy, he had the moral courage to give a reason and not an excuse therefor. He was a solicitor rather than a barrister. He settled controversies rather than litigate them and, had we the English system of classification, his would have been that of a high-class counsellor.

In loyalty and devotion to his Government, he was surpassed by none. When circumstances arose that brought the test: Is your heart here or "over there," his response was prompt and in perfect accord with the action of every loyal American citizen that would give his all, that his Government might live. He gave of his time, his talents, his energies and his means to assist in the construction of a formidable and unconquerable military arm of the Government to uphold the honor and dignity of the American flag, to perfect and perpetually maintain the individual liberties of the peoples of civilization.

His life as a citizen and a lawyer is worthy the emulation of all men. He would not wish, nor could we as his fellows bestow upon him, a better epitaph than the one thought of him by all his friends and acquaintances, "He loved his fellowman." It may be said of him as of the Shepherd King of old: "He served his people in his day and generation well, and fell asleep."

EDWIN POLLAK HAMMOND.

Colonel Hammond was born at Brookville, Indiana, November 26, 1835, the son of Nathaniel and Hannah H. (Sering) Hammond, and removed at the age of fourteen, with his parents, to Columbus. He received his early education in the Brookville common schools and at the Columbus Seminary. For a year he was clerk in a wholesale drygoods house in Indianapolis, then entering the law office of his half-brother, Abram A. Hammond, at one time governor of Indiana, reading law with him and his partner, Thomas H. Nelson, at Terre Haute. In 1857 he was graduated in law from Asbury (now DePauw) University at Greencastle, and opened an office in Rensselaer, where he practiced law for thirty years. In 1861 he enlisted for three months in the 9th Indiana Volunteers, serving for three months in the West Virginia campaign, where he was honorably discharged as a first lieutenant of infantry. In October, 1861, he was unanimously chosen to fill a vacancy as representative in the General Assembly from Jasper, Newton and Pulaski Counties.

In August, 1862, he assisted in organizing Company A of the 87th Indiana Volunteers, taking the field as captain, to be speedily promoted successively to the rank of major and lieutenant colonel. At the end of the Civil war he was made colonel by brevet "for gallant and meritorious service during the war." He was in command of his regiment during the last year of the war and participated in Sherman's march to the sea, and was mustered out of the service at Washington, June 11, 1865. He participated in many battles, and received a wound from a spent ball at the battle of Chickamauga. He received from Governor Morton personal thanks for duties well performed.

In March, 1873, although a strong Republican, Colonel Hammond received from Governor Thomas A. Hendricks the appointment as judge of the Circuit Court for the 30th judicial district, then consisting of the counties of Benton,

Jasper, Newton and Pulaski, in which position Colonel Hammond served ten years.

In May, 1883, Judge William Allen Woods, having been appointed to the Federal bench, Judge Hammond was promoted to the Indiana Supreme Court by Governor Porter. Justice Hammond was nominated by his party to succeed himself on the Supreme bench, but although he ran some five thousand ahead of his party associates, he was defeated in the election of 1884, and returned to the practice in Rensselaer. He was again elected circuit judge in 1890, but resigned in 1892 to become a member of the well known law firm at Lafayette of Stuart, Hammond & Simms, with which he practiced his profession until his death, January 27, 1920.

Colonel Hammond left a widow, Mary V. Spiller, to whom he was married in 1864, and three daughters, Miss Nina, who resides with her mother in Lafayette, and Mrs. W. B. Austin and Miss Jean, of Chicago. His only son, a namesake, was killed on the Monon road at Bloomington in an accident some years ago.

Colonel Hammond was a soldier of rare courage. He was as a lawyer in the front rank of the Indiana bar. Most of his judicial service was as a *nisi prius* judge, and, as such, he took high rank. During his brief service upon the Supreme bench of less than two years, Judge Hammond was industrious, painstaking and notably just and his opinions are clear and concise. Fine examples are to be found in the cases of *Butler v. State*, 97 Ind. 373 and *Feibleman v. State, ex rel. Brown*, 98 Ind. 516, both of which are leading cases, which have been much cited in Indiana and elsewhere. It has been the fortune of few men of his generation to take and maintain for so many years as he did the high rank he held in his profession or to render to their state so distinguished a service.

LAWSON M. HARVEY.

Lawson M. Harvey was born in Plainfield, Indiana, December 5, 1856, and died at his home in Indianapolis, June 25, 1920. He was of Quaker stock, the son of the late Thomas B. Harvey, one of Indiana's greatest physicians. and came to Indianapolis when a boy eight years old. He was educated in the public schols, the Indianapolis Classical School, Butler College, Haverford College at Philadelphia, and the Central Law School of Indianapolis, from which he graduated in 1882, and at once began his life profession in the general practice of law, devoting his efforts almost solely to the civil practice. His high character and conscientious efforts soon brought him a clientage among some of the best business people of Indianapolis. In 1884, Alexander C. Ayers was elected to the Circuit bench in Marion County, thus dissolving the law firm of Ayers & Brown. Edgar A. Brown, later judge of the Circuit Court, and Mr. Harvey thereupon formed the firm of Brown & Harvey. After three years of service Judge Ayers quit the bench and returned to the general practice with the firm, Ayers, Brown & Harvey. In 1890 Mr. Brown was elected to the Circuit bench and after that Mr. Harvey practiced alone until 1894, when he was elected Judge of the Marion Superior Court. At the end of the term he refused renomination and formed a law partnership with William A. Pickens, Linton A. Cox and Sylvan W. Kahn, as Harvey, Pickens, Cox & Kahn. He remained in the practice with this firm until 1907, when he was appointed by Governor Hanly to the newly created position of Judge of the Superior Court of Marion County, Room 4. He held this position until 1908, when he returned to the general practice with his son, Horace Harvey, under the firm name of Harvey & Harvey, continuing this practice until 1917, when he took his seat on the bench of the Supreme Court of Indiana. The remaining three and one-half years of his life were devoted to the conscientious service of the state,

and he was stricken while at his post of duty. The story of his work on the Supreme bench is told more completely in the published reports of the state than can well be done in this memorial. He approached every question with an open mind and weighed all argument in just scales before forming any opinion on the controversy.

During his years of private work he was the legal counsel and attorney for some of the best men and institutions in Indianapolis.

His life work was not confined solely to the field of the law. He was one of the directors in the Bertha Ballard Home Association, the Home for Friendless Colored Children, an active worker in his church and in politics, and affiliated with the Chamber of Commerce, the Marion Club and the Columbia Club. He was for several years the Secretary of the Indianapolis Bar Association and an active participant in its work at all times, serving as president of that association during the year 1907.

The public esteem in which Judge Harvey was held grew with every day of his life. In his professional career he had the full confidence of his clientage and the respect and kindly feeling of his adversaries. Probably the strongest single impression made by him on the bench, the bar, and the public, was that he was under all circumstances and at all times a perfect gentleman. He was active as a practitioner for about twenty-eight years, more active in the courts than the average lawyer, and as judge for about ten years. During these years he was almost always dealing with controversies in which brethren of the bar of high standing ability were contending. It can truthfully be said that he lived almost forty years in an atmosphere of contention and as a participant in strife, without once doing or saying, or even thinking, anything bordering on the ungentlemanly or discourteous, and no judge, lawyer, or layman, whether associate or adversary, will gainsay this statement, but all observers will confirm it. His gentlemanly qualities and even temperament gave him in high degree the

judicial character. This equipoise, partly inborn, but strengthened, cultivated and maintained by conscientious labor in what he believed to be the greatest of all sciences, was the predominating element in his character, and the quality that made him a just judge and safe counsellor.

Many of us assume that in all legal controversies, the human element being ever present, must sometimes cause the course of justice to go awry. Judge Harvey never took this view. He was always confident that a lawyer should be able to decide with precision how any controversy must finally end and should be able to bring about justice if his case were properly prepared. This confidence which he felt in the law as a science was so implicit and his belief that right would prevail so serene, that a defeat in the *nisi prius* court never created any doubt in his mind as to the ultimate end of the controversy. The fact that there might be an adverse decision in the court of last resort which must be distinguished or overruled did not deter him if by his study he thought that decision unsound.

About six months ago he lost by death the wife with whom he had lived in loving congenialty for nearly forty years. He never recovered from the shock of this loss and his family and friends are comforted by the thought that they are now reunited.

Judge Harvey was cut off in his prime when his state had much use for him—stricken at his desk while engaged in his work, and after three days of quiet under the cloud of a darkened mind, passed peacefully away. He was always ready for the end, conformably to the philosophy of Marcus Aurelius, which has come down to us bright through the rubbish of two thousand years—

“Pass then through this little space of time conformably to nature and end thy journey in content, just as an olive falls off when it is ripe, blessing nature that produced it, and thanking the tree on which it grew.”

ERNEST ROBERT KEITH.

Ernest Robert Keith was born at Bowling Green, Clay County, Indiana.

Shortly thereafter his parents moved to Brazil, in the same county, where he was educated in the common and high school. After graduating from the high school he attended DePauw University for two years when he entered the law department of the University of Michigan, graduating with the class of 1893. Immediately after graduating from law school he came to Indianapolis, entering the office of Duncan & Smith. He remained with this firm for little more than a year when he formed a partnership with Mr. James W. Fesler. This partnership was later dissolved and a partnership was formed with Mr. Harold Taylor. This firm continued for about a year, when Mr. Taylor withdrew. After the dissolution of this last firm, Mr. Keith continued in the practice alone, until his election as judge of Superior Court, Room 3. He was nominated on the Republican ticket as one of the Superior judges and was elected November 5th, 1918. Mr. Keith married Miss Mary Bryson, of Brazil, Indiana. Two daughters were born as a result of this union, the older, Frances, married Ralph M. Prouty, of Chicago, and Nellie is a student at Northwestern University. Mrs. Keith died in 1907. In the spring of 1918 Mr. Keith married Mrs. Daisy Kinzley, of this city, who with the two daughters survived him at the time of his death.

Mr. Keith was always active in the affairs of the Bar and was honored with the presidency of both the Indianapolis Bar Association and the State Bar Association. He was also a member of the American Bar Association and served for several years as counsel for Indiana. He took an active part in Masonic affairs and was a member of Mystic Tie Lodge F. & A. M., the Ancient Accepted Scottish Rite and the Mystic Shrine.

At the time of his elevation to the bench he was considered one of the best authorities on real property at this Bar, and had made that branch of the practice a specialty during all the years of his active life.

A man of high ideals; he gave of his time and energy to those things that would promote the highest standing among the men of his profession.

His untimely death removed from the bench of this county one of its strongest judicial minds, and from the city one of its noblest citizens.

Death does not and can not blot out from memory a life splendidly lived in a community. Death only emphasizes the sublime faith our friend had in a mortality.

In the language of George B. Prentice, he has gone where the rainbow never fades.

"It can not be that the earth is man's only abiding place. It can not be that our life is a mere bubble cast up by eternity to float a moment on its waves and then sink into nothingness. Else why is it that the glorious aspirations which leap like angels from the temple of our hearts are forever wandering unsatisfied? Why is it that all the stars that hold their festival around the midnight throne are set above the grasp of our limited faculties, forever mocking us with their unapproachable glory? And finally, why is it that bright forms of human beauty presented to our view are taken from us, leaving the thousand streams of our affections to float back in Alpine torrents upon our hearts? There is a realm where the rainbow never fades; where the stars will be spread before us like islands that slumber in the ocean; and where the beautiful beings which now pass before us like shadows will stay in our presence forever."

GEORGE H. KOONS.

On Friday morning at 7:30 o'clock, October 17, 1919, George H. Koons, an attorney and jurist, well known throughout Indiana and long an honored member of the State Bar Association of Indiana, and also of the American Bar Association, died at his home, "Robin Grove," city of Muncie.

The ancestors of George H. Koons emigrated from North Carolina to Indiana at an early day. They were farmers, honest, thrifty and hospitable, possessing the common virtues of that class.

George H. Koons was born in Blue River Township, Henry County, Indiana, April 2, 1848. He was the son of Peter and Catherine (Rinard) Koons, and the eldest of of a family of seven. His boyhood days were spent at home on the farm. His education was begun in the district schools and continued in the New Castle Academy, and later in the Indiana University at Bloomington. He taught in the country schools during the winter while yet a student in the New Castle Academy. After completing his course of study there, he accepted the position of superintendent of the schools of Middletown, Henry County, Indiana, where he demonstrated his thoroughness and capacity as an instructor and superintendent, raised the standard of the schools and made them a pronounced success. He read law with Brown & Polk, attorneys at New Castle, afterward entering the law department of the State University, from which, in a class of thirty-three, he was graduated with honors, receiving his degree LL.B. in 1871. After leaving the University he continued the study of law under the instruction and guidance of Jehu T. Elliott at New Castle for a time, then began the practice of law in Middletown, with the exception of six years, during which time he served as Judge of the Delaware Circuit Court.

Judge Koons ranked among the best lawyers of the State; Henry County. In 1874 he removed to Muncie, where he

lived up to the time of his death, practicing his profession, his success was not immediate, but came as a result of patient industry, painstaking, intelligent effort. In politics he was a Republican, with decidedly liberal and independent proclivities. He never in any way encouraged nor countenanced corrupt methods in politics and steadfastly condemned all corrupt uses of money, often expressing the view that "the corruption of the ballot is a traitorous crime for which there is neither excuse nor palliation." In 1892 he was elected to the office of Judge of the Delaware Circuit Court of Indiana, in which he served from 1892 to 1898, discharging his official duties with diligence, ability, courage and dignity expected of him. He ranked high as a Judge, being conscientious in devotion to duty and just in judgment, his decisions were well considered and rarely reversed; he inclined to accept "railroad passes" and never used nor traveler on one. Since his retirement from the bench he had been diligently engaged in the practice of law and since 1910 his son, George H. Koons Jr., was associated with him under the firm name of Koons & Koons.

Judge Koons has long been recognized as an able advocate and wise counsellor and was known as one of the most painstaking attorneys and had one of the keenest analytical legal minds of the Delaware County Bar. It was known that in cases in which he was concerned he was so careful as to details that he never overlooked one single opportunity to bring out every bit of evidence. If Judge Koons lost a case, it was because the law and evidence were against him and never could the loss of a case by him be attributed to any neglect on his part. When he was in a suit every one knew that that case was going to be tried to the last detail and the attorney or attorneys opposing him knew they were in for a hard fight.

Judge Koons was a man of broad humanitarian views, thoroughly democratic in bearing, and in close sympathy with his fellowmen, a lover of all that is noblest and best in humanity, a Unitarian in belief and deeply imbued with

the philosophy and teachings of Emerson, though a regular attendant at the Universalist church of Muncie. At college he belonged to the Phi Kappa Psi fraternity, he was a charter member of "The Literary and Scientific Association of Muncie, out of which ultimately was developed the Ethical Society, of which he was for a time president; he was a charter member of the Muncie Bar Association and for several years its president.

Judge Koons was married September 6, 1871, to Josinah V. Hickman, daughter of William H. and Clarissa (Williams) Hickman, a woman of culture and letters, who contributed greatly to his success. Four children blessed their home, Mary Maud, Clarissa K., Rebecca E. and George Hickman Koons.

Judge Koons was a kind, indulgent husband and father. He was true to his friends and forgiving and forbearing toward all, knowing that "Kindness is a language the dumb can speak, and the deaf can hear and understand."

WILLIAM C. PURDUM.

Judge William C. Purdum died suddenly at his home in Kokomo, Indiana, June 13, 1920. The preceding day he had been engaged in the duties of his profession. Upon the day of his death he appeared to be in his usual health, and spent the time in social intercourse with members of his family and friends, and no one had any thought of his serious condition until the moment of his final summons.

Judge Purdum was born near Michigantown, Clinton County, Indiana, July 28, 1858. He was a son and youngest child of Nelson and Elizabeth C. Purdum, who were pioneers of Clinton County. The Purdum family moved to Kokomo in 1863, where Nelson Purdum became an active member of the Kokomo Bar and upon the incorporation of the City of Kokomo, in 1865, was chosen its first Mayor, and served in such capacity until 1867.

Judge Purdum was graduated from the Kokomo High School in 1876, his being the second class which graduated from that institution. After such graduation, he taught for about three years in the public schools of the county. In 1879 he entered the University of Michigan Law School at Ann Arbor, from which institution he graduated in 1881. Following his graduation he formed a partnership with his brother-in-law, Milton Bell, in the practice of law in the city of Kokomo, under the firm name of Bell & Purdum. This partnership continued until January 1, 1911, when he became Judge of the Howard Circuit Court, in which position he served the public faithfully and well until January 1, 1917, when he was succeeded by the present incumbent, Hon. William C. Overton.

Upon retiring from the bench, Judge Purdum became associated in the practice of law with Milton Bell, Lex J. Kirkpatrick and Warren R. Voorhis, under the firm name of Bell, Kirkpatrick, Purdum and Voorhis. In February, 1918, Mr. Voorhis withdrew from the firm to engage in the practice of law in New York City, since which time the firm has been known as Bell, Kirkpatrick & Purdum.

Judge Purdum, by his untiring industry, ability and loyalty to his clients, took front rank in his profession. He was recognized as one of the most careful lawyers of the local bar in the preparation of his causes for trial, and the welfare of his clients was always safeguarded by the conscientious discharge of his duties. In argument he was forceful and convincing, which necessarily resulted from his candor and sincerity as well as his clear and logical presentation of the facts and the law to court and jury.

As a Judge he fully appreciated the honor and dignity of the judicial position. He had the highest regard for the judiciary. His highest ambition as Judge of the Howard Circuit Court, was to preserve the dignity of the bench against criticism. In reaching his decisions he always manifested the highest regard for the personal and property rights of the citizen, involved in the questions sub-

mitted to him for determination. His conduct upon the bench toward the bar was most courteous and gentlemanly at all times. He manifested especial interest in the younger members of the bar, and was never slow to extend to them a helping hand.

Judge Purdum, after beginning his business career by his active and helpful life, soon reached a prominent position in the business affairs of the city of Kokomo. For more than a quarter of a century he has occupied a position as one of the leading and most beloved citizens of Howard County. He was enterprising, progressive and public spirited. He sought for the best in the community. He contributed largely of his time and his means to the advancement and prosperity of the city and county. He was an earnest supporter of the public schools, churches and benevolent institutions. By his genial sociability, his uprightness of living, his unselfish conduct toward his fellowman, and his unassuming plain life, he endeared himself to the citizens of Kokomo and Howard County to a degree acquired but by few.

In addition to his legal duties he served the Howard National Bank faithfully as a director many years before his judicial career. During his term of office he deemed it incompatible with his duties as Judge to hold such a position, and for this reason he was excused from such service during his term of office. Upon retiring from the bench, he again became a director of such banking institution, which position he continued to hold until his death. By his conservative, earnest counsel he contributed very much to the success and prosperity of this institution.

To say he was a fine lawyer, a just Judge, an upright and patriotic citizen seems most inadequate to express our high regard for our departed brother. He was all that and much more. He was the soul of honor, not merely of the commoner sort, which abstains from obvious wrong doing. He recognized obligations which less refined natures wholly fail to see or comprehend. His unselfish loyalty to

his friends was only excelled by his undying devotion to his family. If a human being has lived who was without jealousy, and who knew not envy, we verily believe that he was that one. He was not without ambition, and he valued success, professional and otherwise. Without these qualities he could not have attained to the high position, he held in this community, but his position and his success were achieved without the sacrifice of a single ideal, and he would have preferred failure to such a sacrifice. He did not parade his virtues and we doubt whether he knew that he possessed unusual personal qualities, but he did, and how vivid those qualities of mind and heart appear to us now. He despised ostentation in others, and he would have loathed even the semblance of it in himself, and he was without a trace of sham or pretense of any kind.

WILLIAM A. ROACH.

William A. Roach was born in Delphi, December 24, 1874, the son of Willia mand Anna (Morgan) Roach. His father, a Canadian, came to Indiana in 1865. His mother was born in the West Indies, while her parents were en route from England to America. He received his early education in the Delphi public schools, and was graduated from the Indiana Law School in 1896.

After graduation from law school he entered the law office of Michael A. Ryan in Delphi and was associated in the practice with Mr. Ryan for nine years. He was for five years city attorney for Delphi. The Secretary of State of Indiana having vacated the office by entering the military service of the United States, Mr. Roach was appointed Secretary of State, December 21, 1917. He was elected to that office at the general election of 1918 and died in office January 17, 1920.

Mr. Roach was universally known by his nickname of "Deacon" Roach. He possessed as wide an acquaintance

and as great popularity throughout the state in all probability as any member of the bar. On his appointment as Secretary of State, the Carroll County Bar in resolutions formally adopted expressed "an abiding faith in his fairness, efficiency, integrity and capacity for the satisfactory business administration of the important and increasing duties of the high office" for which he had been chosen.

In the words of the Governor spoken shortly after his death, he "was a man of sterling integrity and one of the most efficient officers who ever served the State of Indiana. Personally, he was a prince of good fellows. He spread sunshine and good cheer wherever he went, and always had a kind word for every man, woman and child with whom he came in contact. He will be missed by all his fellow officers and by his countless friends all over the state, who loved and respected him."

SAMUEL M. SAYLER.

Samuel M. Sayler was born in Preble County, Ohio, November 7, 1856, and was the son of Henry B. Sayler, at one time circuit judge, and a member of Congress from the tenth Indiana district. In 1859 Mr. Sayler removed with his parents to Huntington, Indiana, where he resided until his death.

He was graduated from Wabash College in 1880 and in the following year commenced the practice of law. On December 4, 1884, he married Miss Luella Dailey, who survives him with two sons, Oliver Sayler, now in New York, and Arthur D. Sayler, of Indianapolis.

Mr. Sayler was a studious and competent lawyer, never of robust strength, and his life was probably shortened by too great devotion to his profession. He was modest and retiring to a degree, but was a gentleman of refinement and polish, who was greatly admired and loved by the comparatively small circle of friends who knew him intimately.

ISAAC E. SCHOONOVER.

Isaac E. Schoonover was born in Warren County, Indiana, October 22, 1849, the son of Peter and Maria (Wakely) Schoonover, and the grandson of James Schoonover, one of the early pioneers of Warren County. His early education was in the common schools. He was graduated in law in the University of Michigan in 1871.

He commenced the practice in Attica, of which city he was afterwards for four years the mayor. He was elected Circuit Judge in 1906 and re-elected in 1912, serving for twelve years as Judge. He married March 18, 1869, Marguerite Yeager, who died a number of years ago, leaving one son, Albert Schoonover, who now lives at San Diego, California. Some three years ago, Judge Schoonover was again married, his second wife having been Mrs. Homer Sewell, of Covington, and she survives him. Judge Schoonover died in Attica, September 19, 1919.

Judge Schoonover was a painstaking and eminently just judge, as well as an excellent lawyer, who commanded the respect of the bar and the community in which he spent his life.

JOHN G. WILLIAMS.

Mr. John G. Williams was born in the state of Mississippi on the 2nd day of March, 1849. He received his literary education under private tutors, on his father's plantation, and thereafter he spent two years in attendance in one of the military schools in France; after he returned to his native state, he taught school for about two years, during which time he studied law privately, reciting weekly to Judge Quackenbush, in Natchez, Mississippi. He came to the state of Indiana and located in the city of Terre Haute, in the year 1869, and there practiced in his profession until he removed his residence to the city of Indi-

anapolis, which continued to be his home until the date of his death, October 28th, 1919.

He was also possessed of fine executive ability. For a number of years (from 1893 to 1896) he held the position of General Manager of The Terre Haute and Indianapolis Railroad prior to the time when that line was merged into the Pennsylvania System.

He was the general counsel for the receiver of The Terre Haute and Indianapolis Railroad Company from 1896 until the receivership was terminated, and thence forward until his retirement from active practice in 1916, he was the general counsel of the Vandalia Division of the Pennsylvania Railroad.

He was somewhat reserved toward those with whom he came in touch until the status of friendship was established; thenceforward with those who were so happy as to enjoy such relations he was always a most congenial and stimulating companion.

For many years he was a member of St. Stephens Episcopal Church of Terre Haute, serving as one of its vestrymen; thus much for his character as a man and citizen.

As a lawyer, Mr. Williams had a fine instinct for the right and justice, which the law is always intended to establish and maintain; and a power of analysis which enabled him to cast aside and shear off the husk and wrappings and reach the very kernel of the question involved. He had the courage of his convictions, and whether as man or lawyer, he could not, on account of any consideration personal to himself, for a moment be dissuaded or caused to hesitate as to the performance of any duty which came to him. Exercising these powers, he at a very early age made a place for himself in his profession, not only at his own local bar, but throughout the State, including the Supreme Court, and in the Federal Courts, District, Circuit and Supreme Court of the United States; as is attested by the Reports of their decisions. He was always modest, courteous to his associates and opposing counsel, and mani

fested due respect and deference to the courts, yet was firm and persistent in maintaining the rights of his cause, as they appeared to him.

He had a pleasing manner which at once gave him a favorable access to the court which he was addressing. He had a capacity for a happy and accurate expression of his thoughts, in clear and precise language, so that the court could at once come to the questions involved. In event any query was addressed to him by any member of the court, he answered with entire frankness, without any dissembling and took advantage of the interruption to restate and reinforce his previous argument, and thus made real progress.

Articles of Association
OF THE
Indiana State Bar Association

ARTICLE I.

NAME.

The name of this Association shall be "The Indiana State Bar Association."

ARTICLE II.

OBJECT.

This Association is formed, not for pecuniary profit, but to cultivate the science of jurisprudence; to secure the efficient administration of justice; to promote reform in the law; to facilitate proper legislation; to effect thorough legal education; to uphold and advance the welfare of the profession of law; and to encourage social intercourse among the lawyers of the State of Indiana.

ARTICLE III.

LOCATION.

The office of this Association shall be located and maintained in the City of Indianapolis, Marion County, Indiana.

ARTICLE IV.

SEAL.

This Association shall have a seal, which shall consist of a circular die with the words, "The Indiana State Bar Association," inscribed thereon.

ARTICLE V.

OFFICERS.

There shall be annually elected by ballot at the annual meeting thereof, the following officers of this Association: A President, a

Vice-President, a Secretary, a Treasurer, and three members of a Board of Managers, all of whom shall hold their respective offices from the close of one annual meeting until the close of the succeeding annual meeting. Provided, that the by-laws may provide that the offices of Secretary and Treasurer be filled by the same person.

ARTICLE VI.

DIRECTORS—BOARD OF MANAGERS.

1. The business and prudential concerns of this Association shall be managed by a Board of Directors under the name and style of the Board of Managers, consisting of the President, the Vice-President, the Secretary and the Treasurer of the Association, together with three members of said Board to be annually elected.

2. The President of the Association shall be Chairman of the Board of Managers.

ARTICLE IX.

MEETINGS.

1. This Association shall meet annually at such time and place as the Board of Managers shall select. Notice of such annual meeting shall be mailed to each member at least thirty days prior thereto. The annual meeting shall be conducted under such rules and regulations as the by-laws may prescribe.

2. Special meetings of this Association may be called at such times and places and for such purposes as the Board of Managers may deem necessary, but the business there transacted shall be such only as is designated in the call therefore.

ARTICLE X.

COMMITTEES.

The by-laws of this Association shall prescribe and define the duties of such committees as may be deemed necessary and the manner of their selection.

ARTICLE XI.

BY-LAWS.

By-laws may be adopted at any annual meeting of this Association by a majority vote of the members present. Until such time

as by-laws are adopted, the by-laws of the State Bar Association of Indiana, in force July 8, 1915, shall so far as applicable govern this Association.

The Committee on Necrology shall consist of three (3) members, of whom the Secretary shall be one. It shall be the duty of this committee to report to the annual meeting the names of all the members who shall have died during the year, and to prepare suitable biographical sketches for publication in the printed proceedings of the Association.

ARTICLE XII.

AMENDMENT.

These Articles of Association may be amended at any regular annual meeting by a two-thirds vote of the members present, provided not less than fifty members be present.

By-Laws OF THE Indiana State Bar Association

I.

MEETINGS—QUORUM—ORDER OF BUSINESS.

1. The Association shall convene at the place and hour indicated in the notice therefor.
2. The presence of twenty-five members shall constitute a quorum.
3. The Board of Managers shall prescribe the order of business and arrange the program for the annual meeting and shall cause a program thereof to be printed and distributed to the members.

II.

BOARD OF MANAGERS.

The Board of Managers shall have the management of the business and prudential concerns of the Association and shall have such specific powers and perform such specific duties as are conferred and imposed upon it by the Articles of Association and by-laws of the Association.

III.

PRESIDENT AND VICE-PRESIDENT.

1. The President shall assume the duties of his office on the adjournment of the annual meeting at which he is elected. He shall, when present, preside at all meetings of the Association and shall at each annual meeting deliver the President's address.
2. In the absence of the President or in case of vacancy in the office of the President, his duties shall be discharged by the Vice-President.

IV.

SECRETARY AND TREASURER.

1. The Secretary shall keep a record of the proceedings of the Association and the Board of Managers and all matters of which a

record shall be ordered by the Association or Board of Managers. He shall keep an accurate roll of the officers and members of the Association; shall notify officers and members of committees of their election or appointment; shall notify new members of their election and shall promptly furnish the Treasurer with the names and addresses of all new members. He shall issue notices of all meetings with a brief note in case of special meetings of the object for which they are called—notice of the annual meeting to be issued at least thirty days prior thereto. He shall upon the order of the respective chairmen thereof issue calls for all committee meetings. He shall superintend the publications of the Association as directed by the Board of Managers, and shall be the custodian of the records, archives, and seal of the Association. For his services he shall receive the sum of two hundred and fifty (\$250.00) dollars per year, and shall be reimbursed for stenographic and other expenses incurred by him in the conduct of his office.

2. The Treasurer shall keep at all times a complete roll of the members, shall demand, receive and receipt for all moneys due to the Association, and shall safely keep and disburse the same under the direction of the Board of Managers. At each annual meeting he shall make a written itemized report of his receipts and disbursements. For his services he shall receive the sum of two hundred (\$200.00) per year, and shall be reimbursed for stenographic and other expenses incurred by him in the conduct of his office.

V.

COMMITTEES.

1. This Association shall have the following standing committees:

1. Jurisprudence and Law Reform.
2. Legislation.
3. Legal Education.
4. Membership.
5. Grievance.
6. Necrology.
7. Entertainment.

2. Special committees may be authorized from time to time by vote of the Association.

3. Except as herein otherwise provided all committees shall be appointed by the President, by and with the advice and consent of the Board of Managers, and within thirty days after the annual

meeting, and it shall be the duty of the Secretary promptly to notify the members of the various committees of their appointment.

4. Upon presentation of an itemized bill therefor, approved by the Secretary, the Treasurer shall reimburse committee members for actual traveling expenses in attending such committee meetings as are not held in conjunction with the regular annual or special meetings of the Association.

5. Committee reports shall be in writing, signed by the chairman, and shall show what members thereof concur therein. All committee reports shall, so far as practicable, be filed with the Secretary a sufficient length of time before the annual meeting to enable the Board of Managers, if deemed advisable, to have such reports printed and distributed to the members before the annual meeting.

VI.

COMMITTEE ON JURISPRUDENCE AND LAW REFORM.

The committee on Jurisprudence and Law Reform shall consist of seven (7) members. It shall be the duty of this committee to consider and report to the Association such changes in the law as, in its opinion, should be adopted; also to scrutinize proposed changes, and, when deemed necessary, report upon the same, together with its recommendations; also to observe the working of the judicial system of the State and to consider and report to the Association such changes therein and in practice and procedure as, in its opinion, should be adopted; also to scrutinize proposed changes therein and, when deemed necessary, report upon the same, together with its recommendations; also to consider and report such other matters affecting the interests of the profession, as in their judgment should be acted upon by the Association.

VII.

COMMITTEE ON LEGISLATION.

1. The Committee on Legislation shall consist of seven (7) members. It shall be the duty of this committee to place before the General Assembly all measures recommended for passage by the Association, and to use all proper means to secure their enactment into law, and to oppose by all proper means such proposed legislation as the Association may direct; also to scrutinize proposed legislation and to observe such legislation as may be enacted by the federal congress and the legislatures of other States, and to report to the Association such as it may deem likely to be advantageous to the

State of Indiana; also to report to the Association proposed legislation recommended by the Conference of Commissioners on Uniform State Laws and to assist in procuring the enactment of legislation proposed or approved by said conference.

2. In case of emergency arising requiring the action of the Association upon proposed legislation prior to the annual meeting, the Board of Managers shall have authority to take such action as may be deemed proper and shall make report thereof at the ensuing annual meeting.

VIII.

COMMITTEE ON MEMBERSHIP.

1. The Committee on Membership shall consist of one member from each Congressional District, together with the Secretary and Treasurer. It shall be the duty of this committee to pass upon all applications for membership and to report at each annual meeting the names of those recommended for membership.

2. This committee shall meet the day before each annual meeting, and its proceedings shall at all times be secret and confidential.

IX.

COMMITTEE ON LEGAL EDUCATION.

The Committee on Legal Education shall consist of seven (7) members. It shall be the duty of this committee to examine into the systems of legal education and requirements for admission to the bar, and to report such recommendations to the Association relative thereto as it may deem advisable.

X.

COMMITTEE ON GRIEVANCES.

The Committee on Grievances shall consist of seven (7) members. It shall be the duty of this committee to investigate complaints preferred by any reputable person, or it may make investigation upon its own motion, in the following classes of cases:

First—Against any member of the Association for fraud, crime, or immorality, or for misconduct in his relations to the Association or in his profession.

Second—Against any attorney or any person pretending to be an attorney, practicing the profession in any manner in this State,

who is not a member of the Association, for fraud, crime or gross unprofessional conduct.

Third—Concerning any other grievance touching the practice of law, judicial conduct or the administration of justice.

If the committee is of the opinion that the matter should be heard it shall cause the complaint to be put in writing, signed by the complaining party, or by the chairman of the committee if such investigation be undertaken by the committee on its own motion, and shall fix a time and place of hearing, and shall cause notice of the time and place of hearing, together with a copy of the complaint, to be mailed by registered letter to his last known place of business to the party complained of and to the party preferring the complaint.

At the time and place appointed for hearing the complainant and defendant shall each be allowed to appear personally and by counsel and produce their witnesses; Provided, that in case of charges against a member of the Association, no counsel who is not a member of the Association shall be permitted to appear.

The defendant may file an answer and the committee shall then proceed to a hearing of the matter upon the complaint and answer and evidence produced. The committee may, either on its own motion or upon request of either party, summon other witnesses, and if such witnesses be members of the Association their refusal to attend shall be deemed to be misconduct in their relations to the Association.

Five (5) members of the committee shall constitute a quorum for the hearing and determination of the case, but a less number may adjourn from time to time.

If, upon hearing, the committee finds the complaint or any material portion of it to be true, it shall so report to the next annual meeting with its recommendations as to the action to be taken thereon, and may, in its discretion, report the evidence, or such portion thereof as may be requested by either party.

If, however, in the opinion of the committee, the matter is not such as to require action at the annual meeting of the Association, or is of such character that in the opinion of the committee, action should be taken prior to such meeting, the committee shall report to the Board of Managers, which shall have authority to take such action in the premises, other than expulsion from the Association, as may be deemed proper, and may appoint some member of the Association as counsel in the matter.

All of the foregoing proceedings shall be secret and confidential, except as their publication is herein provided for.

The reasonable disbursements for expenses incurred in any investigation, trial or prosecution undertaken by reason of the filing of a complaint as herein provided, shall be paid out of the funds of the Association upon order of the Board of Managers.

XI.

COMMITTEE ON NECROLOGY.

ARTICLE XI.

COMMITTEES.

The by-laws of this Association shall prescribe and define the duties of such committees as may be deemed necessary and the manner of their selection.

The Committee on Entertainment shall consist of five (5) members, including the Secretary and the Treasurer. It shall be the duty of this committee to procure a suitable place in which the sessions of the Association may be held at the place and time designated by the Board of Managers, to provide suitable entertainment for the members of the Association in attendance at the annual meeting, and to arrange for the annual banquet.

XII.

COMMITTEE ON ENTERTAINMENT.

The Committee on Entertainment shall consist of five (5) members, including the Secretary and the Treasurer. It shall be the duty of this committee to procure a suitable place in which the sessions of the Association may be held at the place and time designated by the Board of Managers, to provide suitable entertainment for the members of the Association in attendance at the annual meeting, and to arrange for the annual banquet.

XIII.

DUES.

The dues of this Association shall be five (\$5.00) dollars per year, payable annually in advance on the first day of January of each year. Any member who neglects to pay his dues for any year at or before the next annual meeting shall not be entitled to any of the privileges of membership and shall upon direction of the Board of Managers be

dropped from the roll of members. The Treasurer shall give notice of this by-law at least sixty days before each annual meeting to all members in default.

XIV.

NEW MEMBERS.

All applications for membership in the Association shall be made in writing; shall show the place of residence (with office address in cities) of the applicant and shall bear the endorsement and recommendation of two members of this Association. All such applications shall be filed with the Secretary at least ten days prior to the next annual meeting. The Secretary shall refer all such applications to the Committee on Membership and shall immediately give notice of the pendency of said application to the Secretary of the affiliated Bar Association of the county where the applicant resides, or in the absence of an affiliated Bar Association to some member of the Association there residing.

After said application shall have been on file for at least ten days the Committee on Membership shall by ballot determine whether the applicant shall be admitted to membership, and when it has approved of a name presented, it shall report such person to the annual meeting of the Association, who shall thereupon become a member. Provided, however, that if any member of the Association demand a vote upon any name thus presented the Association shall vote thereon by ballot and five negative votes shall be sufficient to reject such person. Upon the election of a person to membership the Secretary shall promptly notify such person of his election, and such person shall upon receipt of such notice remit to the Treasurer the sum of five (\$5.00) dollars as dues for the current year.

XV.

NON-RESIDENT MEMBERS.

Any member of this Association in good standing, who shall remove from the State of Indiana, may, by filing his written request with the Secretary, be continued as a non-resident member and entitled to receive the publications of the Association upon payment of annual dues of two (\$2.00) dollars.

XVI.

LIFE MEMBERS.

Any member of this Association in good standing may for good cause, by vote of the Association, upon the recommendation of the

Membership Committee, at any annual meeting, be continued as a life member of the Association without the payment of dues.

XVII.

WITHDRAWAL AND EXPULSION.

1. Withdrawal from membership may be effected by application to the Secretary and the payment of all unpaid dues, including those of the current year.

2. Any member of the Association may be suspended or expelled by the Board of Managers for the non-payment of dues, or by a majority vote of the Association for fraud, crime or immorality or for misconduct in his relations to the Association or in his profession, or in a judicial office.

XVIII.

AFFILIATED ASSOCIATIONS.

1. Any county or city bar association within the State of Indiana may become affiliated with this Association on application filed with the Secretary at any time. Such application shall be in writing, signed by the President and Secretary of such local association, and shall state the name and object of such association and the number of its members. Such application shall be presented to the next succeeding annual meeting of this Association and favorable action thereon by a majority vote shall constitute the applicant an affiliated association.

2. Each affiliated association shall be entitled to at least one delegate to represent it in this Association, and if such affiliated association have twenty or more members it shall be entitled to two delegates for every twenty members or the major fraction thereof.

Such delegates shall be entitled to all the privileges of membership at and during the meetings of this Association.

Such affiliated association shall nominate and properly accredit such delegates to the Secretary of this Association at least ten days prior to the annual meeting of this Association.

XIX.

REPRESENTATIVES.

The President, during vacation, may appoint one or more members to represent the Association, and promote its interests on any occa-

sion deemed expedient by him; and over his official hand, attested by the Secretary, duly accredit him as such representative.

XX.

PUBLICATIONS.

The Board of Managers shall cause the proceedings of the annual meeting to be published and distributed yearly and shall also cause to be published and distributed such other matter as the Association shall direct or said Board may deem advisable to be published and distributed.

XXI.

AMENDMENTS.

These by-laws may be amended at any annual meeting of the Association by a majority vote of the members present, provided not less than twenty-five members be present.

Historical Sketch

The State Bar Association of Indiana was organized on June 23, 1896, at a meeting held in the hall of the House of Representatives, in the State House, at Indianapolis, pursuant to a call issued by the Marion County Bar Association.

The meeting was called to order by Samuel O. Pickens, President of the Marion County Bar Association. Judge John H. Baker was elected Chairman of the meeting and John T. Beasley Secretary. At this meeting Articles of Association were adopted, and signed by one hundred and ten charter members.

The following officers were elected for the first year:

President—Gen. Benjamin Harrison.

Vice-President—John G. Williams.

Secretary—John R. Wilson.

Treasurer—Noble C. Butler.

The first regular meeting of the Association was held at Indianapolis on June 23, 1897, at which by-laws were adopted and the same officers were re-elected for the ensuing year.

At the annual meeting in July, 1914, a special committee was appointed for the purpose of considering a revision of the Articles of Association and by-laws. This committee reported proposed new articles and by-laws at the 1915 meeting, which were ordered to be printed in the proceedings and laid over for action at the 1916 meeting, at which meeting they were adopted in the present form, and the name was changed to the Indiana State Bar Association.

Former Officers

PRESIDENT

1897. Benjamin Harrison	1908. Dan W. Simms
1898. John R. Wilson	1909. John T. Dye
1899. Robert S. Taylor	1910. William A. Ketcham
1900. Edwin P. Hammond	1911. Samuel Parker
1901. Theodore P. Davis	1912. Frank E. Gavin
1902. Truman F. Palmer	1913. John L. Rupe
1903. William P. Breen	1914. Thomas E. Davidson
1904. Addison C. Harris	1915. Robert W. McBride
1905. Charles L. Jewett	1916. William A. Hough
1906. Daniel Fraser	1917. Inman H. Fowler
1907. Merrill Moores	1918. Ernest R. Keith
	1919. Oscar H. Montgomery

VICE-PRESIDENT

1897. John G. Williams	1909. Enoch D. Hogate
1898. Leander J. Monks	1910. Thomas E. Davidson
1899. Timothy E. Howard	1911. John W. Hanan
1900. William A. Ketcham	1912. John L. Rupe
1901. George L. Reinhard	1913. Thomas F. Davidson
1902. William P. Breen	1914. Robert W. McBride
1903. Oscar H. Montgomery	1915. William A. Hough
1904. Daniel Fraser	1916. Inman H. Fowler
1905. Daniel Fraser	1917. Ernest R. Keith
1906. Dan W. Simms	1918. Oscar H. Montgomery
1907. Dan W. Simms	1919. Elmer E. Stevenson
1908. John T. Dye	

SECRETARY

1897. John R. Wilson	1905. Merrill Moores
1898. Noble C. Butler	1906. Merrill Moores
1899. Merrill Moores	1907. George H. Batchelor
1900. Merrill Moores	1908. George H. Batchelor
1901. Merrill Moores	1909. George H. Batchelor
1902. Merrill Moores	1910. George H. Batchelor
1903. Merrill Moores	1911. George H. Batchelor
1904. Merrill Moores	1912. George H. Batchelor

1913. George H. Batchelor
1914. George H. Batchelor
1915. George H. Batchelor
1916. George H. Batchelor

1917. George H. Batchelor
1918. George H. Batchelor
1919. George H. Batchelor

TREASURER

1897. Noble C. Butler
1898. Theodore P. Davis
1899. Theodore P. Davis
1900. Theodore P. Davis
1901. Frank E. Gavin
1902. Frank E. Gavin
1903. Frank E. Gavin
1904. Frank E. Gavin
1905. Frank E. Gavin
1906. Frank E. Gavin
1907. Frank E. Gavin
1908. Frank E. Gavin

1909. Frank E. Gavin
1910. Frank E. Gavin
1911. Frank E. Gavin
1912. Elias D. Salsbury
1913. Elias D. Salsbury
1914. Elias D. Salsbury
1915. Elias D. Salsbury
1916. Elias D. Salsbury
1917. Elias D. Salsbury
1918. Elias D. Salsbury
1919. Elias D. Salsbury

Presidents' Addresses

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1897.	BENJAMIN HARRISON-----	"Promoting the Administration of Justice."
1898.	The President of the Association, Benjamin Harrison, being absent, the Vice-President, John G. Williams, presided and talked on "Our Association."	
1899.	JOHN R. WILSON-----	"The Origin of the Power of Courts to Declare Legislative Acts Unconstitutional."
1900.	ROBERT S. TAYLOR-----	"Judges."
1901.	EDWIN P. HAMMOND-----	"Evidence."
1902.	THEODORE P. DAVIS-----	"Upholding the Honor of the Profession."
1903.	TRUMAN F. PALMER-----	"Circuit Court of Indiana."
1904.	WILLIAM P. BREEN-----	"Divorce."
1905.	ADDISON C. HARRIS-----	"Procedure Abroad and at Home."
1906.	CHARLES L. JEWETT-----	"Our Code of Criminal Procedure."
1907.	DANIEL FRASER-----	"The Courts and the Legislature."
1908.	MERRILL MOORES-----	"The Enforcement of the Law."
1909.	DAN W. SIMMS-----	"The Law and the Lawyer."
1910.	JOHN T. DYE-----	"The Work of the Bar Association."
1911.	WILLIAM A. KETCHAM-----	"Organic Law."
1912.	SAMUEL PARKER-----	"The Courts of Indiana and Progressive Legislation."
1913.	FRANK E. GAVIN-----	"The Mutability of Social Institutions."
1914.	JOHN L. RUPE-----	"Taxation Under Indiana Laws."
1915.	THOMAS E. DAVIDSON-----	"Respect for the Law."

1916. ROBERT W. MCBRIDE-----"American Citizenship."
1917. WILLIAM A. HOUGH-----"The Law and Civilization."
1918. INMAN H. FOWLER-----"What Shall Be Done With the
Mob?"
1919. ERNEST R. KEITH-----"Individual Responsibility and Re-
spect for Law."
1920. OSCAR H. MONTGOMERY-----"The Good of the Order."

Annual Addresses

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1897.	LAWRENCE MAXWELL, JR.---	"The Law as a Science."
1898.	WM. B. HORNBLOWER-----	"Fifty Years of Reform Procedure."
1899.	WILLIAM WIRT HOWE-----	"Legal Ethics."
1900.	WILLIAM LINDSAY-----	"The Pacification of Cuba in Its Legal and Constitutional Aspects."
1901.	Observed as John Marshall Day, and an oration on "The Chief Justice," delivered by Hon. William A. Ketcham, listed in the special addresses.	
1902.	BURTON SMITH-----	"Why Seek Ye the Living Among the Dead?"
1903.	WALTER S. LOGAN-----	"Legal or Legislative Remedies for Trust Evils."
1904.	HENRY ST. GEORGE TUCKER---	"Civil Liberty."
1905.	JOHN F. SIMMONS-----	"The Territorial Expansion of the Common Law Ideal."
1906.	HORACE H. LURTON-----	"The Evolution of the Right of Trial."
1907.	MERRITT STARR-----	"Legislative and Judicial Development of the Law Concerning Competition Contrasted."
1908.	WILLIAM L. PUTNAM-----	"The Reform of the Law."
1909.	ALEXANDER P. HUMPHREYS---	"The Last Year With the United States Supreme Court."
1910.	FREDERICK J. STIMSON-----	"The Law of Combined Action and Possession."
1911.	PETER W. MELDRUM-----	"Master and Servant."
1912.	STEPHEN S. GREGORY-----	"A Historical Judicial Controversy and Some Reflections Suggested by It."

1913. WILLIAM J. CALHOUN-----"Our Relations With China."
1914. ROME G. BROWN-----"Muckraking the Constitution."
1915. ANDREW J. MONTAGUE-----"The Monroe Doctrine."
1916. HAMPTON L. CARSON-----"Shakespeare as a Lawyer."
1917. CHARLES S. CUTTING-----"A Year's 'Elasticity' in the Supreme Court of the United States."
1919. BENJAMIN F. BLEDSOE-----"Our Day in Court."
1920. EVAN H. EVANS-----"The Naturalization and the Nationalization of the Alien."

Special Addresses

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1900.	WILLIAM HOYNES-----	"The Law as an Educational Factor."
1901.	WILLIAM A. KETCHAM----	"The Chief Justice (John Marshall)."
1908.	FREDERICK N. JUDSON-----	"Congressional Regulation of Employers' Liability."
1908.	WILL H. WHITAKER-----	"A Closer Relation Between Prison and Reformatory Officials and the Criminal Courts."
1909.	WILLIAM DUDLEY FOULKE--	"The Trouble With the Law."
1912.	CRYSTAL EASTMAN BENEDICT--	"Political Recognition of Women the Next Step in the Development of Democracy."
1914.	CLINTON ROGERS WOODRUFF--	"Constitutional Development and Municipal Life."
1915.	JAMES H. WILKERSON-----	"The Next Step in National Control of Corporations."
1918.	ERNEST FREUND-----	"Uniform State Legislation."

Papers

<i>Year.</i>	<i>Name.</i>	<i>Subject.</i>
1897.	JOHN G. WILLIAMS	"Life and Character of Daniel W. Voorhees."
1897.	ROBERT S. TAYLOR-----	"The Inherent Function of Growth in the Common Law."
1898.	LEONARD J. HACKNEY-----	"A Case on Appeal."
1898.	W. P. ROGERS-----	"Government by Injunction."
1898.	ADDISON C. HARRIS-----	"The Pending Amendments."
1899.	WILLIAM A. KETCHAM-----	"Bench and Bar."
1899.	JOHN T. DYE-----	"Legislative Control Over Freedom of Contract."
1899.	TIMOTHY E. HOWARD-----	"According to Law."
1899.	DANIEL W. COMSTOCK-----	"Evidence in Criminal Cases on Appeal."
1900.	FRANK S. ROBY-----	"The Legal Right of the Next Generation."
1900.	EVANS WOOLLEN-----	"The Law and the Striker."
1901.	Observed as John Marshall Day, and an oration on "The Chief Justice," delivered by Hon. William A. Ketcham, listed in the special addresses.	
1902.	WILLIAM L. PENFIELD-----	"Some Difficulties of Pan-America Arbitration."
1902.	GEORGE L. REINHARD-----	"The Right to Practice Law."
1902.	WILLIAM W. THORNTON-----	"The Constitutional Convention of 1850."
1903.	ALLEN ZOLLARS-----	"International Arbitration."
1903.	JOHN L. RUPE-----	"The Verdict of the Jury."
1903.	FRANK S. ROBY-----	"Indiana Courts of Appeal."
1904.	CHARLES S. BAKER-----	"The Ethics of the Profession."

1904. SAMUEL PARKER-----"Criticisms of Judges."
1904. CHARLES W. SMITH-----"The Jury System."
1905. LUCIUS C. EMBREE-----"Cases and Case Lawyers."
1905. THOMAS R. MARSHALL-----"The Lawyer's Conscience."
1905. ARTHUR W. BRADY-----"Some Phases of Historical Jurisprudence."
1906. JOHN W. KERN-----"Reminiscences of Some Great Indiana Lawyers."
1906. SOLOMON H. ESAREY-----"Suggestions as to Recent Criminal Statutes."
1906. SYDNEY B. DAVIS-----"Some Needed Judicial Reforms."
1906. JOSEPH M. RABB-----"The Trials of the Trial Judge."
1906. JESSE S. REEVES-----"Jeremy Bentham and American Jurisprudence."
1907. CHARLES W. MILLER-----"Our Practice."
1907. CHARLES KELLISON-----"The Value of Expert Testimony."
1907. ANDREW A. ADAMS-----"Legal Ethics."
1907. HARRY B. TUTHILL-----"Are Corporations Ill-Treated? And why?"
1908. JAMES L. CLARK-----"A Mixed Question of Law and Fact."
1908. GEORGE SHIRTS-----"Should Township Government Be Abolished?"
1908. JOHN T. DYE-----"Changes in the Constitution."
1909. JAMES S. DODGE-----"Indiana Courts."
1909. ADDISON C. HARRIS-----"Modern Views of Compensation for Personal Injuries."
1909. EMORY B. SELLERS-----"The State Bar Association of Indiana."
1909. CASSIUS C. HADLEY-----"Lawyers and Courts."
1910. GEORGE M. GIFFORD-----"Crude Legislation."

1910. CHARLES W. SMITH-----"Some Current Criticisms of Courts and Lawyers."
1910. CONRAD WOLF-----"The Spirit of Legalism in Indiana Practice."
1910. GEORGE A. CUNNINGHAM----"The Everyday Lawyer."
1911. TIMOTHY E. HOWARD-----"Our Charters."
1911. LINN D. HAY-----"Making and Amending Constitutions."
1911. ENOCH G. HOGATE-----"Is There a Law's Delay?"
1912. W. W. THORNTON-----"The Constitutional Convention of 1816."
1912. LOUIS B. EWBank-----"The Trial Court."
1912. CHARLES E. COX-----"Old Ways or Uncertain Seas."
1913. HARRY C. SHERIDAN-----"Comments on the Bankruptcy Act."
1913. SAMUEL E. COOK-----"Our Federal Constitution: Some of the Struggles Over Its Meaning."
1913. MERRILL MOORES-----"The Selection of Judges."
1913. MERLE N. A. WALKER-----"The Selection of Judges."
1914. STUART MACKIBBEN-----"Some Observations Regarding the Indiana Utility Commission Act."
1914. DANIEL W. SIMMS-----"Employers' Liability Legislation of 1911."
1914. EVANS WOOLLEN-----"The American Doctrine of Unconstitutionality."
1915. WILLIAM J. HOUCK-----"The Evolution of Jurisprudence."
1915. HARRY B. TUTHILL-----"Stub Beltz Runs for Circuit Judge."
1915. WILLIAM A. HOUGH-----"The Law and the Telephone."
1915. RICHARD M. MILBURN-----"The Fourteenth Amendment."
1916. STUART MACKIBBEN-----"The Authority of the Ordinance of 1787."

1916. WILLIAM A. KETCHAM-----"The Wages of Sin or The Glorious
Uncertainty of the Law."
1916. WILLIAM A. PICKENS-----"Some Elements of Utility Valua-
tions."
1916. SAMUEL R. ALDEN-----"Our Place in the Sun."
1917. NEWTON W. GILBERT-----"The Eclipse of the Constitution."
1917. QUINCY A. MYERS-----"The Constitutional Guaranty of a
Republican Form of Government."
1918. CHARLES MARTINDALE-----"Americanism and War."
1918. LEX J. KIRKPATRICK-----"The Movement for Uniform State
Legislation."
1919. WILLIAM W. THORNTON----"The Welter of Reports and Court
Opinions."
1919. CHARLES M. HEPBURN-----"The Widening Scope of Legal
Education in America."
1919. ARTHUR W. BRADY-----"From a Public Utility Stand-
point."
1919. LOUDEN L. BOMBERGER-----"The Lawyer and the Railroads."
1920. ROSCOE A. HEAVILIN-----"Organization."
1920. HENRY H. HORN BROOK-----"The Tichborne Case."
1920. WILMER T. FOX-----"Business Methods in a Lawyers'
Office."

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 Heavilin, Roscoe A., Marion

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Jessup, Fred H., Kokomo.
Jessup, Wilfred, Richmond.
Jewett, Charles L., New Albany.
Jewett, Charles W., City Hall, Indianapolis.
Johnson, Emsley W., Peoples State Bank Bldg., Indpls.
Johnson, Fred B., State House, Indianapolis.
Jones, Aquilla Q., Odd Fellow Bldg., Indianapolis.
Jones, Arthur H., Ind. Pythian Bldg., Indianapolis.
Jones, Clyde H., Lafayette.
Jones, Vitus G., South Bend.
Joseph, Jackiel W., State Sav. & Trust Bldg., Indianapolis.
Kahn, Isidor, Evansville.
Kamman, John H., Seymour.
Kane, Ralph K., Lemcke Annex, Indianapolis.
Kane, Thomas E., Noblesville.
Kappes, William P., Farmers Trust Bldg., Indianapolis.
Kaufman, Roscoe A., Huntington.
Keach, Leroy J., Peoples State Bank Bldg., Indianapolis.
Kealing, Joseph B., Ind. Trust Bldg., Indianapolis.
Kean, Horace M., Jasper.
Keesey, John T., Ind. Trust Bldg., Indianapolis.
Kelley, William H., Richmond.
Kelso, Charles D., New Albany.
Kenner, Sumner, Huntington.
Ketcham, William A., Odd Fellow Bldg., Indianapolis.
Kichler, George W., Churubusco.
Kilroy, James S., Mt. Vernon.
Kimmel, Frank, Lafayette.
Kingsbury, John H., Peoples State Bank Bldg., Indpls.

- Kiper, Roscoe, Boonville.
 Kiplinger, John H. (Am. Army of Occupation), Rushville.
 Kirk, Harvey C., Princeton.
 Kirkpatrick, Lex J., Kokomo.
 Kisner, George I., Terre Haute.
 Kitch, John W., Plymouth.
 Kopp, George C., Jeffersonville.
 Korbly, Bernard, Ind. Trust Bldg., Indianapolis.
 Kraus, Milton, Peru.
 Kreuzberger, Otto H., Evansville.
 Kurtz, George A., South Bend.
- Lairy, Moses B., Lafayette.
 Lambert, William W., Columbus.
 Lamphar, Oscar, Princeton.
 Landers, Howe Stone, Am. Cent. Life Bldg., Indianapolis.
 Laughlin, Edgar T., Odon.
 Leach, Antoinette D., Sullivan.
 Leathers, James M., Fletcher Trust Bldg., Indianapolis.
 Leffler, Joseph G., Muncie.
 Leonard, F. P., Mt. Vernon.
 Lesh, U. S., State House, Huntington.
 Leveque, Louis D., Terre Haute.
 Lincoln, Chester A., Churubusco.
 Lindley, John W., Sullivan.
 Lindsey, Caleb J., Boonville.
 Linn, Walter H., Crawfordsville.
 Little, James Burdette, Peoples State Bank Bldg., Indpls.
 Littleton, Frank L., Peoples State Bank Bldg., Indpls.
 Livengood, Arista T., Covington.
 Lockwood, Virgil H., Fletcher Trust Bldg., Indianapolis.
 Logsdon, Hiram M., Evansville.
 Long, Byford E., Jr., Brownstown.
 Loring, Hannibal H., Valparaiso.
 Loy, Charles S., Swayzee.
 Luecke, Martin, Ft. Wayne.
 Lutz, Philip J., Boonville.
- MacFall, Russell T., State Life Bldg., Indianapolis.
 MacKibbin, Stuart, South Bend.
- Mangus, Milton W., Fletcher Trust Bldg., Indianapolis.
 Marsh, Robert I., Ind. Trust Bldg., Indianapolis.
 Marshall, Buena V., Terre Haute.
 Marshall, Thomas R. (Washington, D. C.), Indianapolis.
 Martindale, Charles, Fletcher Trust Bldg., Indianapolis.
 Matson, Frederick E., Lemcke Annex, Indianapolis.
 Mattice, Floyd J., Federal Bldg., Indianapolis.
 Mattingly, Ezra, Washington.
 McAdams, Charles V., Lafayette.
 McAleer, William J., Hammond.
 McBride, Claude B., Jeffersonville.
 *McBride, Robert W., State Life Ins. Co., Indianapolis.
 McCabe, Charles M., Crawfordsville.
 McCabe, Edwin F., Williamsport.
 McDaniels, Erastus W., Shelbyville.
 McDonald, James E., Peoples State Bank Bldg., Indpls.
 McFall, John E., Jasper.
 McGee, Thomas D., State Life Bldg., Indianapolis.
 McGuire, Newton J., Peoples State Bank Bldg., Indpls.
 McInerny, William A., South Bend.
 McKillip, J. C., Charlestown.
 McKinney, A. Lyle, Hammond.
 McMahan, Willis C. (State House, Indpls.), Crown Point.
 McMahan, William W., Hammond.
 McMaster, William S., Ind. Trust Bldg., Indianapolis.
 McMichael, Henry S., State Life Ins. Co., Indianapolis.
 McNary, Joseph T., State Sav. & Trust Bldg., Indianapolis.
 McNutt, John C., Martinsville.
 McNutt, John G., Ind. Trust Bldg., Indianapolis.
 McTurnan, Clair, Odd Fellow Bldg., Indianapolis.
 Mead, Joseph A., E. Chicago.

- Means, Clarence W., State Life Bldg., Indianapolis.
- Meloy, Harry C., North Vernon.
- Melson, Garth B., Ind. Trust Bldg., Indianapolis.
- Messick, Allen G., Marion.
- Metzler, Arthur, Rochester.
- Meyer, Louis A., Vincennes.
- Milford, Charles R., Lafayette.
- Miller, Abraham L., Terre Haute.
- Miller, Charles W., Fletcher Trust Bldg., Indianapolis.
- Miller, Frank R., Clinton.
- Miller, Fremont, Franklin.
- Miller, Mark H., Fletcher Trust Bldg., Indianapolis.
- Miller, Robert G., Bloomington.
- Miller, Samuel D., Lemcke Annex, Indianapolis.
- Miller, Sidney S., Lemcke Annex, Indianapolis.
- Mitchell, James L., Ind. Trust Bldg., Indianapolis.
- Mitchell, William C., Lafayette.
- Moll, Theophilus J., Superior Court, Room 5, Indianapolis.
- Montgomery, Chester R., South Bend.
- Montgomery, Oscar H., Seymour.
- Montgomery, T. Harlan, Seymour.
- Moore, Henry W., Terre Haute.
- Moores, Charles W., Fletcher Trust Bldg., Indianapolis.
- Moores, Merrill (Washington, D. C.), Indianapolis.
- Moran, James J., Portland.
- Moran, John C., Decatur.
- Morris, Donald S., Fletcher Trust Company, Indianapolis.
- Morris, Douglas, Rushville.
- Morris, Harvey, Salem.
- Morris, John, Jr., Ft. Wayne.
- Morris, Samuel L., Ft. Wayne.
- Morris, Samuel L., Jr., Ft. Wayne.
- Morrison, James W., Frankfort.
- Morthland, John W., Hammond.
- Myers, David A. (State House, Indianapolis), Greensburg.
- Myers, Quincy A., Fletcher Amer. Bank Bldg., Indpls.
- Myers, Stephen E., Washington.
- Naftzger, Leslie R., Kokomo.
- Nave, J. Shannon, Attica.
- Neible, Walter L., Edinburg.
- Nemeth, Desidevius D., South Bend.
- Nesbit, William R., Sullivan.
- Nichols, Alonzo L., Winchester.
- Neizer, Charles M., Ft. Wayne.
- Noel, James W., Lemcke Bldg., Indianapolis.
- Obear, James O., Delphi.
- Oberreich, Louis H., Fletcher Trust Bldg., Indianapolis.
- Offut, Samuel J., Greenfield.
- Ogden, James M., State Life Bldg., Indianapolis.
- Oliver, William G., Franklin.
- Orbison, Charles J., Merchants Bank Bldg., Indianapolis.
- Ortmeyer, Daniel H., Evansville.
- Osborn, Frank E., Laporte.
- Osborn, John E., Greensburg.
- Ottenheimer, Abraham, East Chicago.
- Owens, Albert R., Terre Haute.
- Palmer, Truman F., Monticello.
- Parker, Herbert G., Peoples State Bank Bldg., Indpls.
- Parker, Samuel, South Bend.
- Parks, George D., Lafayette.
- Parks, Morris R., Lafayette.
- Parr, Willett H., Lebanon.
- Patrick, Norman E., Fidelity Trust Bldg., Indianapolis.
- Pattee, Frank B., Crown Point.
- Peak, J. Elmer, South Bend.
- Perkins, Merritt H., Ind. Trust Bldg., Indianapolis.
- Peters, Charles Hamilton, Knox.
- Peters, Glenn D., Hammond.
- Pettijohn, Charles C., 1600 Broadway, New York, N. Y.
- Phipps, Harry W., Jeffersonville.
- Phillips, Albert W., Columbus.
- Pickens, Owen, Fletcher Trust Bldg., Indianapolis.
- Pickens, Samuel O., Fletcher Trust Bldg., Indianapolis.
- Pickens, William A., State Sav. & Trust Bldg., Indianapolis.
- Pierce, Henry D., 46 N. Penn. St., Indianapolis.

Pierce, Henry D., Jr., Ind. Trust
Bldg., Indianapolis.

Piety, James E., Terre Haute.

Piety, John O., Terre Haute.

Pollard, Charles R., Delphi.

Pollard, C. Robert, Delphi.

Pond, Oscar L., Peoples State
Bank Bldg., Indianapolis.

Prass, Fred N., Lafayette.

Proctor, Robert E., Elkhart.

Pruitt, Edward E., Delphi.

Pulliam, Charles L.,
Terre Haute.

Rabb, Albert Livingston,
Lemcke Annex, Indianapolis.

Ralston, Samuel M., Fletcher
Amer. Bank Bldg., Indpls.

Randolph, Edgar D., Lafayette.

Rappaport, Leo M., Fletcher
Trust Bldg., Indianapolis.

Rariden, Frank G.,
Martinsville.

Rauch, John G., Fletcher Trust
Bldg., Indianapolis.

Rawley, John M., Brazil.

Reidelbach, John G., Winamac.

Relter, Virgil S., Hammond.

Remster, Charles, Hume-Mansur
Bldg., Indianapolis.

Remy, Charles F., State House,
Indianapolis.

Rheuby, Gould G., 382 DuPont
Bldg., Wilmington, Del.

Rhodes, David E., Peru.

Richards, Charles W., Mer-
chants Bank Bldg., Indpls.

Richman, Frank Nelson,
Columbus.

Ringer, Victor H., Williamsport.

Rinler, George C., Hume-Mansur
Bldg., Indianapolis.

Ristine, Harley T.,
Crawfordsville.

Robertson, J. Ross,
Brownstown.

Robinson, Arthur R., Ind. Trust
Bldg., Indianapolis.

Robinson, William, Frankfort.

Roby, Frank S., Peoples State
Bank Bldg., Indianapolis.

Rochford, John J., Lemcke
Bldg., Indianapolis.

Rochford, Paul T., Lemcke
Bldg., Indianapolis.

Roe, Willis E., East Chicago.

Roemler, Charles O., Fletcher
Trust Bldg., Indianapolis.

Rogers, Elza O., Lebanon.

Roller, Rudolph J., Ind. Pythian
Bldg., Indianapolis.

Romig, Iden S., South Bend.

Rooker, William V., Board of
Trade Bldg., Indianapolis.

Rose, James H., Ft. Wayne.

Ross, George E., Logansport.

Ross, James A., Lemcke Annex,
Indianapolis.

Rowley, Noah E., Laporte.

Royse, Clarence A.,
Terre Haute.

Royse, Lemuel W., Warsaw.

Rucker, Alvah J., State Life
Bldg., Indianapolis.

Ruckleshaus, John C., Ind. Trust
Bldg., Indianapolis.

Rupe, John L., Richmond.

Rust, Harry F., Fletcher Trust
Bldg., Indianapolis.

Ryan, Michael A., Ind. Trust
Bldg., Indianapolis.

Ryan, Russell J., Ind. Trust
Bldg., Indianapolis.

Ryan, Thomas M., Frankfort.

Salsbury, Elias D., Lemcke
Bldg., Indianapolis.

Sammons, Hume L., Kentland.

Sapp, Arthur Henry,
Huntington.

Schmidt, Paul H., Evansville.

Schortemeier, Fred E.,
Indianapolis.

Schuh, Charles J., Hume-Mansur
Bldg., Indianapolis.

Scott, Elmer E., Lemcke Bldg.,
Indianapolis.

Sedwick, John E., Martinsville.

Sellers, Emory B., Monticello.

Settle, Harry M., Greensburg.

Shake, Curtis G., Vincennes.

Shakes, Rudolph V., Plymouth.

Sharpnack, Julian, Columbus.

Shea, Joseph H.,
Valparaiso, Chile.

†Shelby, Andrew J., Lebanon.

Sheridan, Harry C., Frankfort.

Shirley, Cassius C., Kokomo.

Shirley, William S.,
Martinsville.

- Shirts, George, Merchants Bank Bldg., Indianapolis.
- Shiveley, Ray K., Richmond.
- Shively, Bernard Bobbs, Marion.
- Shively, Dudley Morton, South Bend.
- Sills, Addison K., Jr., Monticello.
- Simmons, Abram, Bluffton.
- Simms, Dan W., Lafayette.
- Simms, Samuel U., Lafayette.
- Sipe, Richard V., Court House, Indianapolis.
- Slack, L. Ert, Hume-Mansur Bldg., Indianapolis.
- Slick, Albert, South Bend.
- Slinkard, William L., Bloomfield.
- Smith, Charles W., Hume-Mansur Bldg., Indianapolis.
- Smith, Donald L., Rushville.
- Smith, Lisle A., Meridian Life Bldg., Indianapolis.
- Smith, Ralph N., Laporte.
- Smith, William C., Delphi.
- Smith, William H., Lebanon.
- Spaan, Henry N., Ind. Trust Bldg., Indianapolis.
- Sparks, Will M., Rushville.
- Spencer, John W., Evansville.
- Springer, Raymond S., Connersville.
- Sproat, Erie G., Hammond.
- Starr, Henry C., Richmond.
- State, James H., Elkhart.
- Steers, Edwin, Peoples State Bank Bldg., Indianapolis.
- Stevens, Smith N., Plymouth.
- Stevenson, Elmer E., Fletcher Trust Bldg., Indianapolis.
- Stevenson, Thomas D., Fletcher Trust Bldg., Indianapolis.
- Stinson, John M., Hammond.
- Stotsenburg, Evan B., New Albany.
- Stout, Elmer W., Fletcher Am. Bank Bldg., Indianapolis.
- Stradley, Thomas H., Jeffersonville.
- Street, Roy C., Lafayette.
- Stricler, Samuel L., Marion.
- Strong, Ephraim K., Columbia City.
- Stuart, Allison E., Lafayette.
- Stuart, Charles H., Lafayette.
- Sullivan, Reginald H., State Life Bldg., Indianapolis.
- Sumner, Charles E., Princeton.
- Sunkel, George D., Newport.
- Swan, Elbert M., Rockport.
- Symmes, Frank A., Indianapolis.
- Taggart, James E., Jeffersonville.
- Tague, Cecil Carson, Brookville.
- Taylor, Arthur H., Petersburg.
- Taylor, Edwin, Evansville.
- Taylor, Harold, Hume-Mansur Bldg., Indianapolis.
- Taylor, William L., State Life Bldg., Indianapolis.
- Teegarden, John C., Anderson.
- Thompson, Francis Marion, Versailles.
- Thompson, William H., Lemcke Annex, Indianapolis.
- Thornton, William W., Superior Court, Room 1, Indianapolis.
- Tingle, Walter J., Valparaiso, Chile.
- Tinkham, C. B., Hammond.
- Titsworth, John A., Rushville.
- Townsend, H. L. (State House, Indianapolis), Ft. Wayne.
- Trabue, Samuel Logan, Rushville.
- Tracewell, Robert N., Evansville.
- Traylor, Bomar, Jasper.
- Tremain, George L., Greensburg.
- Trippet, Sanford, Princeton.
- Trook, Everett W., Fletcher Trust Bldg., Indianapolis.
- Turner, Rollin, Greensburg.
- Tuthill, Harry B., Michigan City.
- Twineham, A. P., Princeton.
- Ungar, Harry L., Plymouth.
- Van Atta, Robert M., Marion.
- Van Auken, Glenn, Auburn.
- Van Briggie, L. H., Fletcher Trust Bldg., Indianapolis.
- Van Brunt, Geddes, Frankfort.
- Vandeveer, Richard, Milford.
- Vandeveer, Simon L., Princeton.

- Van Fleet, Vernon W.,
 South Bend.
 Vanier, J. Olias, State Life
 Bldg., Indianapolis.
 Van Nuys, Frederick, Federal
 Bldg., Indianapolis.
 Van Osdol, James A., Anderson.
 Vesey, Allen J., Ft. Wayne.
 Vesey, David S., Ft. Wayne.
 Vesey, William J., Ft. Wayne.
 Vestal, Allan P., Fletcher Trust
 Bldg., Indianapolis.
 Vestal, Meade, Noblesville.
 Vinton, Henry H., Lafayette.
 Voight, George H.,
 Jeffersonville.
 Voorhis, Warren B., Kokomo.

 Wade, Jesse E., Mt. Vernon.
 Wair, Harry R., South Bend.
 Walker, Henry B., Evansville.
 Walker, Merle N. A., Ind. Trust
 Bldg., Indianapolis.
 Ward, Albert, Peru.
 Warrington, Carina C.,
 Ft. Wayne.
 Wason, James P., Dephi.
 Watkins, Charles W.,
 Huntington.
 Watson, David E., Trac. Term.
 Bldg., Indianapolis.
 Watson, James E. (Washing-
 ton, D. C.), Rushville.
 Waugh, Dan, Tipton.
 Weathers, John H.,
 New Albany.
 Weaver, John, Corn Exchange
 Bank Bldg., Chicago, Ill.
 Weir, Clarence E., Merchants
 Bank Bldg., Indianapolis.
 Welman, John D., Evansville.
 Whinery, William J.,
 Hammond.
 Whitcomb, Larz A., Fletcher
 Trust Bldg., Indianapolis.
 White, Edward M., State House,
 Indianapolis.

 White, Frederick Garfield,
 Richmond.
 White, Jacob S., Merchants
 Bank Bldg., Indianapolis.
 Wickens, Hugh D., Greensburg.
 Wilkie, Herman F., Elwood.
 Wiley, Ulric Z., Fletcher Trust
 Bldg., Indianapolis.
 Wilkinson, Philip, Lemcke
 Bldg., Indianapolis.
 Williams, Joseph W.,
 Martinsville.
 Williams, Robert H.,
 Crawfordsville.
 Willson, Romney L., State Life
 Bldg., Indianapolis.
 Wilson, Jesse E., Hammond.
 Wise, Adam E., Plymouth.
 Woersdorfer, Minnie, Room 302,
 Dept. of Justice, Vermont
 Ave. and K St., Washing-
 ton, D. C.
 Wolf, Conrad, Kokomo.
 Wolfe, Normann F., Laporte.
 Wood, Carl E., Trac. Term.
 Bldg., Indianapolis.
 Wood, Sol A., Ft. Wayne.
 Wood, Will R. (Washington,
 D. C.), Lafayette.
 Woollen, Evans, Fletcher Trust
 Company, Indianapolis.
 *Woollen, William W., Am. Cent.
 Life Bldg., Indianapolis.
 Wycoff, Albert B., Batesville.

 York, Guy R., Peru.
 Young, Howard S., Merchants
 Bank Bldg., Indianapolis.
 Youngblood, Union W.,
 Boonville.

 Zigler, Edward B., Elkhart.
 Zoercher, Philip, 68 Whittier
 Place, Indianapolis.
 Zollars, Fred E., Ft. Wayne.
 Total number members, 696.

List of Members by Congressional Districts

FIRST DISTRICT.

Gibson, Pike, Posey, Spencer, Vanderburg, Warrick.

GIBSON COUNTY.

Baltzell, Charles O.,
Princeton.
Benson, Luther,
Princeton.
Duncan, Thomas,
Princeton.
Embree, Lucius C.,
Princeton.
Harmon, Harvey,
Princeton.
Kirk, Harvey C.,
Princeton.
Lamphar, Oscar,
Princeton.
Sumner, Charles E.
Princeton.
Trippet, Sanford,
Princeton.
Twineham, A. P.,
Princeton.
Vandever, Simon L.,
Princeton.

PIKE COUNTY.

Taylor, Arthur H.,
Petersburg.

POSEY COUNTY.

Barker, Roscoe U.,
Mt. Vernon.
Blackburn, James H.,
Mt. Vernon.
Espenschied, William,
Mt. Vernon.
Kilroy, James S.,
Mt. Vernon.
Leonard, F. P.,
Mt. Vernon.
Wade, Jesse E.,
Mt. Vernon.

SPENCER COUNTY.

Heuring, Fred A.,
Rockport.
Swan, Elbert M.,
Rockport.

VANDERBURGH COUNTY.

Durre, Edgar,
Evansville.
Hatfield, Frank H.,
Evansville.
Hostetter, Fred M.,
Evansville.
Kahn, Isidor,
Evansville.
Kreuzberger, Otto H.,
Evansville.
Logsdon, Hiram M.,
Evansville.
Ortmeyer, Daniel,
Evansville.
Schmidt, Paul H.,
Evansville.
Spencer, John W.,
Evansville.
Taylor, Edwin,
Evansville.
Tracewell, Robert N.,
Evansville.
Walker, Henry B.,
Evansville.
Welman, John D.,
Evansville.

WARRICK COUNTY.

Folsom, Lenpha A.,
Boonville.
Fulling, Henry F.,
Boonville.
Hemenway, James A.,
Boonville.

Kiper, Roscoe,
Boonville.
Lindsey, Caleb J.,
Boonville.
Lutz, Phillip, Jr.,

Boonville.
Youngblood, Union M.,
Boonville.
Total members First District
40.

SECOND DISTRICT.

Daviess, Greene, Knox, Martin, Monroe, Morgan, Owen,
Sullivan.

DAVIESS COUNTY.

Allen, Arthur W.,
Washington.
Hastings, Elmer E.,
Washington.
Hastings, Milton S.,
Washington.
Laughlin, Edgar T.,
Odon.
Mattingly, Ezra,
Washington.
Myers, Stephen E.,
Washington.

GREENE COUNTY.

Cavins, William L.,
Bloomfield.
Slinkard, William,
Bloomfield.

KNOX COUNTY.

Houghton, Hileary Q.,
Vincennes.
Meyer, Louis A.,
Vincennes.
Shake, Curtis G.,
Vincennes.

MARTIN COUNTY.

Gilkinson, Francis E.,
Shoals.

MONROE COUNTY.

Batman, Ira C.,
Bloomington.
Hepburn, Charles D.,
Bloomington.
Hogate, Enoch G.,
Bloomington.
Miller, Robert G.,

MORGAN COUNTY.

Branch, Emmett F.,
Martinsville.

McNutt, John C.,
Martinsville.
Rariden, Frank G.,
Martinsville.
Sedwick, John E.,
Martinsville.
Shirley, William S.,
Martinsville.
Williams, Joseph W.,
Martinsville.

OWEN COUNTY.

Fowler, Inman H.,
Spencer.
Hickam, Willis, Jr.,
Spencer.

SULLIVAN COUNTY.

Bays, Frederick F.,
Sullivan.
Bays, Lee Fenton,
Sullivan.
Bridwell, William H.,
Sullivan.
Chaney, John C.,
Sullivan.
Cutler, Arthur D.,
Sullivan.
Hays, Hinkle C.,
Sullivan.
Hays, Will H.,
Sullivan.
Hunt, Charles D.,
Sullivan.
Leach, Antoinette D.,
Sullivan.
Lindley, John W.,
Sullivan.
Nesbit, William R.,
Sullivan.
Total members Second District
—35.

THIRD DISTRICT.

Clark, Crawford, Dubois, Floyd, Harrison, Lawrence,
Orange, Perry, Scott, Washington.

CLARK COUNTY.

Bottofff, James L.,
Jeffersonville.
Fox, Wilmer T.,
Jeffersonville.
Howard, Jonas G.,
Jeffersonville.
Hunt, Charles A.,
Jeffersonville.
Kopp, George C.,
Jeffersonville.
McBride, Claude B.,
Jeffersonville.
McKillip, J. C.,
Charlestown.
Phipps, Harry W.,
Jeffersonville.
Stradley, Thomas H.,
Jeffersonville.
Taggart, James E.,
Jeffersonville.
Voight, George H.,
Jeffersonville.

DUBOIS COUNTY.

Armstrong, Robert W.,
Huntingburg.
Gray, Alvarado L.,
Huntingburg.
Kean, Horace M.,
Jasper.

McFall, John E.,
Jasper.
Traylor, Bomar,
Jasper.

FLOYD COUNTY.

Ewing, John W.,
New Albany.
Hester, George H.,
New Albany.
Jewett, Charles L.,
New Albany.
Kelso, Charles D.,
New Albany.
Stotsenburg, Evan B.,
New Albany.
Weathers, John H.,
New Albany.

LAWRENCE COUNTY.

Brooks, Thomas J.,
Bedford.

WASHINGTON COUNTY.

Hobbs, Oscar K.,
Salem.
Morris, Harvey,
Salem.
Total members Third District
—25.

FOURTH DISTRICT.

Bartholomew, Brown, Dearborn, Decatur, Jackson, Jeffer-
son, Jennings, Johnson, Ohio, Ripley, Switzerland.

BARTHOLOMEW COUNTY.

Baker, Charles S.,
Columbus.
Cooper, Cassius B.,
Columbus.
Cox, James F.,
Columbus.
Donaker, John W.,
Columbus.

Harding, Lewis A.,
Columbus.
Lambert, William W.,
Columbus.
Phillips, Albert W.,
Columbus.
Richman, Frank Nelson,
Columbus.
Sharpnack, Julian,
Columbus.

DEARBORN COUNTY.

Bielby, Estal G.,
Lawrenceburg.
Cravens, Thomas S.,
Lawrenceburg.
Davies, Llewellyn E.,
Aurora.
Givan, Martin J.,
Lawrenceburg.

DECATUR COUNTY.

Craig, John W.,
Greensburg.
Davidson, Thomas E.,
Greensburg.
Hamilton, Frank,
Greensburg.
Hite, Edgar E.,
Greensburg.
Myers, David A.,
Greensburg.
Osborn, John E.,
Greensburg.
Settle, Harry M.,
Greensburg.
Tremain, George L.,
Greensburg.
Turner, Rolin A.,
Greensburg.
Wickens, Hugh D.,
Greensburg.

JACKSON COUNTY.

Branaman, John C.,
Brownstown.
Branaman, Thomas H.,
Brownstown.
Cox, James A.,
Crothersville.
Honan, Thomas M.,
Seymour.

Kamman, John H.,
Seymour.
Long, Byford E., Jr.,
Brownstown.
Montgomery, Oscar H.,
Seymour.
Montgomery, T. Harlan,
Seymour.
Robertson, J. Ross,
Brownstown.

JEFFERSON COUNTY.

Cravens, Joseph M.,
Madison.

JENNINGS COUNTY.

Carney, John Ralph,
Vernon.
Dixon, Lincoln,
North Vernon.
Meloy, Harry C.,
North Vernon.

JOHNSON COUNTY.

Braun, Frederick,
Greenwood.
Miller, Fremont,
Franklin.
Neible, Walter L.,
Edinburg.
Oliver, William G.,
Franklin.

RIPLEY COUNTY.

Bohland, M. F.,
Batesville.
Thompson, Francis M.,
Versailles.
Wycoff, Albert B.,
Batesville.
Total members Fourth District
—43.

FIFTH DISTRICT.

Clay, Hendricks, Parke, Putnam, Vermillion, Vigo.

CLAY COUNTY.

Rawley, John M.,
Brazil.

HENDRICKS COUNTY.

Blessing, Edgar M.,
Danville.

Clark, James L.,
Danville.
Dogan, Zimri E.,
Danville.
Gaston, Carey,
Danville.
Gulley, Otis E.,
Danville.

PARKE COUNTY.

Daniels, Henry,
Rockville.

PUTNAM COUNTY.

Corwin, Benjamin F.,
Greencastle.
Gillen, Courtland C.,
Greencastle.
Hughes, James P.,
Greencastle.

VERMILLION COUNTY.

Miller, Frank R.,
Clinton.
Sunkel, George D.,
Newport.

VIGO COUNTY.

Adamson, Henry,
Terre Haute.
Baker, Harry J.,
Terre Haute.
Batt, Charles S.,
Terre Haute.
Beasley, Bert,
Terre Haute.
Beasley, John T.,
Terre Haute.
Blankenbaker, Felix,
Terre Haute.
Cooper, James A., Jr.,
Terre Haute.
Cox, John E.,
Terre Haute.
Danner, Walter S.,
Terre Haute.

Davis, Sidney B.,
Terre Haute.

Dix, George O.,
Terre Haute.

Duffy, Joseph P.,
Terre Haute.

Fitzgerald, John M.,
Terre Haute.

Gallagher, Thomas P.,
Terre Haute.

Gleason, William T.,
Terre Haute.

Hickey, John,
Terre Haute.

Kisner, George O.,
Terre Haute.

Leveque, Louis D.,
Terre Haute.

Marshall, Buenna V.,
Terre Haute.

Miller, Abraham L.,
Terre Haute.

Moore, Henry W.,
Terre Haute.

Owens, Albert R.,
Terre Haute.

Piety, James E.,
Terre Haute.

Piety, John O.,
Terre Haute.

Pulliam, Charles L.,
Terre Haute.

Royse, Clarence A.,
Terre Haute.

Total members Fifth District
—38.

SIXTH DISTRICT.

Fayette, Franklin, Hancock, Henry, Rush, Shelby, Union,
Wayne.

FAYETTE COUNTY.

Barrows, Frederick I.,
Connersville.
Elliott, Richard N.,
Connersville.
Springer, Raymond S.,
Connersville.

FRANKLIN COUNTY.

Hubbard, Milford P.,
Brookville.

Tague, Cecil Carson,
Brookville.

HANCOCK COUNTY.

Cook, Charles H.,
Greenfield.

Hough, William Alfred,
Greenfield.

Hughes, William A.,
Greenfield.

Offut, Samuel J.,
Greenfield.

HENRY COUNTY.

Brown, Clarence M.,
Newcastle.
Evans, Herbert H.,
Newcastle.
Forkner, George D.,
Newcastle.
Gause, Fred C.,
Newcastle.

RUSH COUNTY.

Duncan, Chauncey W.,
Rushville.
Green, Thomas McKee,
Rushville.
Kiplinger, John H.,
Rushville.
Morris, Douglas,
Rushville.
Smith, Donald L.,
Rushville.
Sparks, Will M.,
Rushville.
Titsworth, John A.,
Rushville.
Traube, Samuel Logan,
Rushville.

Watson, James E.,
Rushville.

SHELBY COUNTY.

McDaniels, Erastus W.,
Shelbyville.

WAYNE COUNTY.

Bogue, Oliver H.,
Richmond.
Freeman, Gath P.,
Richmond.
Gardiner, Alonzo M.,
Richmond.
Jessup, Wilfred,
Richmond.
Kelley, William H.,
Richmond.
Rupe, John L.,
Richmond.
Shiveley, Ray K.,
Richmond.
Starr, Henry C.,
Richmond.
White, Frederick Garfield,
Richmond.
Total members Sixth District—
32.

SEVENTH DISTRICT.

MARION COUNTY.

Abrams, Henry,
Indianapolis.
Adams, Claris,
Indianapolis.
Adams, Robert A.,
Indianapolis.
Allen, Hendy Clay,
Indianapolis.
Ashby, Samuel,
Indianapolis.
Bamberger, Ralph,
Indianapolis.
Barker, Eleanor P.,
Indianapolis.
Barrett, Fred E.,
Indianapolis.
Bartholomew, Pliny, W.,
Indianapolis.
Bastian, Willits A.,
Indianapolis.

Batchelor, George H.,
Indianapolis.
Beck, William S.,
Indianapolis.
Beckett, Wymond J.,
Indianapolis.
Bell, Joseph E.,
Indianapolis.
Berryhill, James M.,
Indianapolis.
Beveridge, Albert J.,
Indianapolis.
Bingham, James,
Indianapolis.
Bingham, Remster A.,
Indianapolis.
Boling, Owen S.,
Indianapolis.
Bonifield, Fred R.,
Indianapolis.

Boswell, Edwin C., Indianapolis.	Deitch, Guilford A., Indianapolis.
Brown, Arthur V., Indianapolis.	Deupree, Everett L., Indianapolis.
Bryson, Robert H., Indianapolis.	Dowden, Samuel, Indianapolis.
Buenting, Lueppo D., Indianapolis.	Dryer, Charles A., Indianapolis.
Butler, Noble C., Indianapolis.	Duffey, Luke W., Indianapolis.
Carter, Solon Jehu, Indianapolis.	Dunbar, Merlin M., Indianapolis.
Carter, Vinson, Indianapolis.	Edenharter, Frank T., Indianapolis.
Cavins, Alexander C., Indianapolis.	Eikman, Edward C., Indianapolis.
Clancy, Sumner, Indianapolis.	Elam, Harvey J., Indianapolis.
Cleary, James F., Indianapolis.	Elliott, William F., Indianapolis.
Cockrum, John B., Indianapolis.	Emhardt, Christian J., Indianapolis.
Coffin, Charles F., Indianapolis.	Emrick, Edwin H., Indianapolis.
Coleman, Lewis A., Indianapolis.	Engelke, John F., Indianapolis.
Collins, James A., Indianapolis.	English, William E., Indianapolis.
Conder, Earl R., Indianapolis.	Esarey, Sol H., Indianapolis.
Cox, Charles E., Indianapolis.	Estabrook, Gay R., Indianapolis.
Cox, Earl R., Indianapolis.	Evans, Rowland, Indianapolis.
Cox, Linton A., Indianapolis.	Evans, William P., Indianapolis.
Crane, George M., Indianapolis.	Ewbank, Louis B., Indianapolis.
Dalley, Frank C., Indianapolis.	Ewbank, Richard L., Indianapolis.
Dally, Thomas A., Indianapolis.	Feibleman, Isidore, Indianapolis.
Daniels, Joseph J., Indianapolis.	Felt, Edward W., Indianapolis.
Davidson, Robert F., Indianapolis.	Fenton, Harry A., Indianapolis.
Davis, Lawrence B., Indianapolis.	Fesler, James William, Indianapolis.
Davis, Paul G., Indianapolis.	Fitzpatrick, Edward V., Indianapolis.
Dean, Griffith D., Indianapolis.	Foley, Michael E., Indianapolis.
Deery, James E., Indianapolis.	Gates, Edward E., Indianapolis.

- Gavin, Frank E.,
Indianapolis.
- Gavin, James L.,
Indianapolis.
- Gavin, William C.,
Indianapolis.
- Givan, Clinton H.,
Indianapolis.
- Haas, Schuyler A.,
Indianapolis.
- Hack, Oren S.,
Indianapolis.
- Hammond, William W.,
Indianapolis.
- Hanly, J. Frank,
Indianapolis.
- Hanna, Charles T.,
Indianapolis.
- Harrington, Humphrey,
Indianapolis.
- Harryman, William R.,
Indianapolis.
- Harvey, Horace F.,
Indianapolis.
- Henderson, Charles E.,
Indianapolis.
- Hendrickson, Harry C.,
Indianapolis.
- Hickam, Herbert,
Indianapolis.
- Higgins, William R.,
Indianapolis.
- Hollett, John E.,
Indianapolis.
- Hood, Arthur M.,
Indianapolis.
- Hornbrook, Henry H.,
Indianapolis.
- Hottel, Milton B.,
Indianapolis.
- Hugg, Martin M.,
Indianapolis.
- Iglehart, Eugene H.,
Indianapolis.
- Inman, Ephraim,
Indianapolis.
- Jackson, Edward,
Indianapolis.
- Jameson, John T.,
Indianapolis.
- Jewett, Charles W.,
Indianapolis.
- Johnson, Emsley W.,
Indianapolis.
- Johnson, Fred Bates,
Indianapolis.
- Jones, Aquilla Q.,
Indianapolis.
- Jones, Arthur H.,
Indianapolis.
- Joseph, Jackiel W.,
Indianapolis.
- Kane, Ralph K.,
Indianapolis.
- Kappes, William P.,
Indianapolis.
- Keach, Leroy J.,
Indianapolis.
- Kealing, Joseph B.,
Indianapolis.
- Keeseey, John T.,
Indianapolis.
- Ketcham, William A.,
Indianapolis.
- Kingsbury, John H.,
Indianapolis.
- Korbly, Bernard,
Indianapolis.
- Landers, Howe Stone,
Indianapolis.
- Leathers, James M.,
Indianapolis.
- Little, James Burdette,
Indianapolis.
- Littleton, Frank L.,
Indianapolis.
- Lockwood, Virgil H.,
Indianapolis.
- MacFall, Russell T.,
Indianapolis.
- Mangus, Milton W.,
Indianapolis.
- Marsh, Robert I.,
Indianapolis.
- Marshall, Thomas R.,
Indianapolis.
- Martindale, Charles,
Indianapolis.
- Matson, Frederick E.,
Indianapolis.
- Mattice, Floyd J.,
Indianapolis.
- McBride, Robert W.,
Indianapolis.
- McDonald, James E.,
Indianapolis.
- McGee, Thomas D.,
Indianapolis.

McGuire, Newton J.,
Indianapolis.
McMaster, William S.,
Indianapolis.
McMichael, Henry S.,
Indianapolis.
McNary, Joseph T.,
Indianapolis.
McNutt, John G.,
Indianapolis.
McTurnan, Clair,
Indianapolis.
Means, Clarence W.,
Indianapolis.
Melson, Garth B.,
Indianapolis.
Miller, Charles W.,
Indianapolis.
Miller, Mark H.,
Indianapolis.
Miller, Samuel D.,
Indianapolis.
Miller, Sidney S.,
Indianapolis.
Mitchell, James L.,
Indianapolis.
Moll, Theophilus J.,
Indianapolis.
Moore, Charles W.,
Indianapolis.
Moore, Merrill,
Indianapolis.
Morris, Donald S.,
Indianapolis.
Myers, Quincy A.,
Indianapolis.
Noel, James W.,
Indianapolis.
Oberreich, Louis H.,
Indianapolis.
Ogden, James M.,
Indianapolis.
Orbison, Charles J.,
Indianapolis.
Parker, Herbert G.,
Indianapolis.
Patrick, Norman E.,
Indianapolis.
Perkins, Merritt H.,
Indianapolis.
Pickens, Owen,
Indianapolis.
Pickens, Samuel O.,
Indianapolis.

Pickens, William A.,
Indianapolis.
Pierce, Henry D.,
Indianapolis.
Pierce, Henry D., Jr.,
Indianapolis.
Pond, Oscar L.,
Indianapolis.
Rabb, Albert L.,
Indianapolis.
Ralston, Samuel M.,
Indianapolis.
Rappaport, Leo M.,
Indianapolis.
Rauch, John G.,
Indianapolis.
Remster, Charles,
Indianapolis.
Remy, Charles F.,
Indianapolis.
Richards, Charles W.,
Indianapolis.
Rinier, George G.,
Indianapolis.
Robinson, Arthur R.,
Indianapolis.
Roby, Frank S.,
Indianapolis.
Rochford, John J.,
Indianapolis.
Rochford, Paul T.,
Indianapolis.
Roemler, Charles O.,
Indianapolis.
Roller, Rudolph J.,
Indianapolis.
Rooker, William V.,
Indianapolis.
Ross, James A.,
Indianapolis.
Rucker, Alvah J.,
Indianapolis.
Ruckelshaus, John C.,
Indianapolis.
Rust, Harry F.,
Indianapolis.
Ryan, Michael A.,
Indianapolis.
Ryan, Russell J.,
Indianapolis.
Salesbury, Elias D.,
Indianapolis.
Schortemeier, Frederick B.,
Indianapolis.

Schuh, Charles J.,
Indianapolis.
Scott, Elmer E.,
Indianapolis.
Shirts, George,
Indianapolis.
Sipe, Richard V.,
Indianapolis.
Slack, L. Ert,
Indianapolis.
Smith, Charles W.,
Indianapolis.
Smith, Lisle A.,
Indianapolis.
Spaan, Henry N.,
Indianapolis.
Steers, Edwin,
Indianapolis.
Stevenson, Elmer E.,
Indianapolis.
Stevenson, Thomas D.,
Indianapolis.
Stout, Elmer W.,
Indianapolis.
Sullivan, Reginald H.,
Indianapolis.
Symmes, Frank A.,
Indianapolis.
Taylor, Harold,
Indianapolis.
Taylor, William L.,
Indianapolis.
Thompson, William H.,
Indianapolis.
Thornton, William W.,
Indianapolis.
Trook, Everett W.,
Indianapolis.

Van Briggles, L. H.,
Indianapolis.
Vanier, J. Olias,
Indianapolis.
Van Nuys, Frederick,
Indianapolis.
Vestal, Allan P.,
Indianapolis.
Walker, Merle N. E.,
Indianapolis.
Watson, David E.,
Indianapolis.
Weir, Clarence E.,
Indianapolis.
Whitcomb, Larz A.,
Indianapolis.
White, Edward N.,
Indianapolis.
White, Jacob S.,
Indianapolis.
Wiley, Ulric Z.,
Indianapolis.
Wilkinson, Philip,
Indianapolis.
Willson, Romney L.,
Indianapolis.
Wood, Carl E.,
Indianapolis.
Woollen, Evans,
Indianapolis.
Woollen, William W.,
Indianapolis.
Young Howard S.,
Indianapolis.
Zoercher, Philip,
Indianapolis.
Total members Seventh District—219.

EIGHTH DISTRICT.

Adams, Delaware, Jay, Madison, Randolph, Wells.

ADAMS COUNTY.

Moran, John C.,
Decatur.

DELAWARE COUNTY.

Haymond, William T.,
Muncie.
Leffler, Joseph G.,
Muncie.

JAY COUNTY.

Coffel, Hal H.,
Pennville.
Feming, James R.,
Portland.
Moran, James J.,
Portland.

MADISON COUNTY.

Brady, Arthur W.,
Anderson.

Teegarden, John C.,
Anderson.
Van Osdol, James A.,
Anderson.
Wilkie, Herman F.,
Elwood.

RANDOLPH COUNTY.

Caldwell, Frederick S.,
Winchester.

Nichols, Alonzo L.,
Winchester.

WELLS COUNTY.

Gordon, Frank W.,
Bluffton.
Simmons, Abram,
Bluffton.
Total members Eighth District
—14.

NINTH DISTRICT.

Boone, Carroll, Clinton, Fountain, Hamilton, Howard, Montgomery, Tipton.

BOONE COUNTY.

Hutchinson, Frank E.,
Lebanon.
Parr, Willett H.,
Lebanon.
Rogers, Elza O.,
Lebanon.
Shelby, Andrew J.,
Lebanon.
Smith, William H.,
Lebanon.

CARROLL COUNTY.

Cartwright, John H.,
Delphi.
Obear, James O.,
Delphi.
Pollard, Charles R.,
Delphi.
Pollard, C. Robert,
Delphi.
Pruitt, Edward E.,
Delphi.
Smith, William C.,
Delphi.
Wason, James P.,
Delphi.

CLINTON COUNTY.

Combs, Joseph,
Frankfort.
Devol, Brenton A.,
Frankfort.
Harker, Russell P.,
Frankfort.
Morrison, James W.,
Frankfort.

Robinson, William,
Frankfort.
Ryan, Thomas M.,
Frankfort.
Sheridan, Harry C.,
Frankfort.
Van Brunt, Geddes,
Frankfort.

FOUNTAIN COUNTY.

Livengood, Arista T.,
Covington.
Nave, J. Shannon,
Attica.

HAMILTON COUNTY.

Fertig, Emmet R.,
Noblesville.
Kane, Thomas E.,
Noblesville.
Vestal, Meade,
Noblesville.

HOWARD COUNTY.

Barnes, Earl R.,
Kokomo.
Bell, Milton,
Kokomo.
Herron, Joseph C.,
Kokomo.
Jessup, Fred H.,
Kokomo.
Kirkpatrick, Lex J.,
Kokomo.
Naftzger, Leslie,
Kokomo.

Shirley, Cassius C.,
Kokomo.
Voorhis, Warren R.,
Kokomo.
Wolf, Conrad,
Kokomo.

MONTGOMERY COUNTY.

Crane, Benjamin,
Crawfordsville.
Davidson, Franklin G.,
Crawfordsville.
Harding, Chase,
Crawfordsville.
Linn, Walter H.,
Crawfordsville.

McCabe, Charles M.,
Crawfordsville.
Ristine, Harley T.,
Crawfordsville.
Williams, Robert H.,
Crawfordsville.

TIPTON COUNTY.

Coleman, Jesse R.,
Tipton.
Gifford, George H.,
Tipton.
Waugh, Dan,
Tipton.
Total members Ninth District
—44.

TENTH DISTRICT.

Benton, Jasper, Lake, Newton, Porter, Tippecanoe, Warren,
White.

BENTON COUNTY.

Fraser, Daniel,
Fowler.
Hawkins, Ernest M.,
Fowler.

JASPER COUNTY.

Hanley, Charles W.,
Rensselaer.

LAKE COUNTY.

Ballard, Everett Guy,
Gary.
Barnett, Fred,
Hammond.
Bomberger, Loudon L.,
Hammond.
Bowers, John O.,
Gary.
Conroy, Joseph H.,
Hammond.
Crumpacker, Frederick Charles,
Hammond.
Gavit, Frank N.,
Whiting.
Gavit, John A.,
Hammond.
Glazebrook, Bradford D. L.,
Indiana Harbor.
Hardy, Walter T.,
Hammond.

Hodges, W. F.,
Gary.
Ibach, Joseph G.,
Hammond.
McAleer, William J.,
Hammond.
McKinney, A. Lyle,
Hammond.
McMahan, Willis C.,
Crown Point.
McMahon, William W.,
Hammond.
Mead, Joseph A.,
East Chicago.
Morthland, John W.,
Hammond.
Ottenheimer, Abraham,
East Chicago.
Pattee, Frank B.,
Crown Point.
Peters, Glenn D.,
Hammond.
Reiter, Virgil S.,
Hammond.
Roe, Willis E.,
East Chicago.
Sproat, Erie G.,
Hammond.
Stinson, John M.,
Hammond.
Tinkham, C. B.,
Hammond.

Whinery, William J.,
Hammond.
Wilson, Jesse E.,
Hammond.

NEWTON COUNTY.

Darroch, William,
Kentland.
Sammons, Hume L.,
Kentland.

PORTER COUNTY.

Loring, Hannibal H.,
Valparaiso.

TIPPECANOE COUNTY.

Baird, Rochester,
Lafayette.
Baird, Samuel P.,
Lafayette.
Burnett, Charles A.,
Lafayette.
Evens, Alfred C.,
Lafayette.
Haywood, George P.,
Lafayette.
Jones, Clyde H.,
Lafayette.
Kimmel, Frank,
Lafayette.
Lairy, Moses B.,
Lafayette.
McAdams, Charles V.,
Lafayette.
Milford, Charles R.,
Lafayette.
Mitchell, William C.,
Lafayette.
Parks, George D.,
Lafayette.
Parks, Morris R.,
Lafayette.

Prass, Fred N.,
Lafayette.
Randolph, Edgar D.,
Lafayette.
Simms, Dan W.,
Lafayette.
Simms, Samuel U.,
Lafayette.
Street, Roy C.,
Lafayette.
Stuart, Allison E.,
Lafayette.
Stuart, Charles H.,
Lafayette.
Vinton, Henry H.,
Lafayette.
Wood, Will R.,
Lafayette.

WARREN COUNTY.

Hall, John J.,
Williamsport.
McCabe, Edwin F.,
Williamsport.
Ringer, Victor H.,
Williamsport.

WHITE COUNTY.

Brockway, Howard T.,
Monticello.
Carey, Lawrence D.,
Monticello.
Carr, Benjamin F.,
Monticello.
Cowger, Clarence R.,
Monticello.
Palmer, Truman F.,
Monticello.
Sellers, Emory B.,
Monticello.
Sills, Addison K., Jr.,
Monticello.

Total members Tenth District

—66.

ELEVENTH DISTRICT.

Blackford, Cass, Grant, Huntington, Miami, Pulaski,
Wabash.

BLACKFORD COUNTY.

Cole, Enos,
Hartford City.

CASS COUNTY.

Fansler, Michael L.,
Logansport.

Grable, Roscoe M.,
Lucerne.
Ross, George E.,
Logansport.

GRANT COUNTY.

Amsden, William M.,
Marion.
Bell, David M.,
Marion.
Browne, John R.,
Marion.
Charles, William H.,
Marion.
Clawson, Oliver D.,
Marion.
Condo, Gus S.,
Marion.
Coon, George M.,
Marion.
Coryell, William C.,
Marion.
Gemmill, Willard B.,
Marion.
Hays, Mead S.,
Marion.
Heavilin, Roscoe A.,
Marion.
Houck, William J.,
Marion.
Loy, Charles S.,
Swazee.
Messick, Allen G.,
Marion.
Shively, Bernard Bobbs,
Marion.
Stricler, Samuel L.,
Marion.
Van Atta, Robert M.,
Marion.

HUNTINGTON COUNTY.

Cline, Claude,
Huntington.
Cook, Samuel E.,

Huntington.
Eberhart, George M.,
Huntington.
Feightner, Milo N.,
Huntington.
Haller, Charles R.,
Huntington.
Kaufman, Roscoe A.,
Huntington.
Kenner, Sumner,
Huntington.
Lesh, U. S.,
Huntington.
Sapp, Arthur Henry,
Huntington.
Watkins, Charles W.,
Huntington.

MIAMI COUNTY.

Andrews, Claude G.,
Peru.
Arnold, Leroy O.,
Peru.
Brewer, Samuel S.,
Peru.
Cole, Albert H.,
Peru.
Cole, Charles A.,
Peru.
Kraus, Milton,
Peru.
Rhodes, David E.,
Peru.
Ward, Albert,
Peru.
York, Guy R.,
Peru.

PULASKI COUNTY.

Burson, George,
Winamac.
Reidelbach, John G.,
Winamac.
Total members Eleventh District—42.

TWELFTH DISTRICT.

Allen, DeKalb, Lagrange, Noble, Steuben, Whitley.

ALLEN COUNTY.

Alden, Samuel R.,
Ft. Wayne.
Bane, Leonard M.,
Ft. Wayne.

Barrett, James M.,
Ft. Wayne.
Breen, William P.,
Ft. Wayne.

Dreibelbiss, Robert B.,
Ft. Wayne.
Ellison, Thomas E.,
Ft. Wayne.
Heaton, Benjamin F.,
Ft. Wayne.
Heaton, Owen N.,
Ft. Wayne.
Hulse, Edwin M.,
Ft. Wayne.
Luecke, Martin,
Ft. Wayne.
Morris, John, Jr.,
Ft. Wayne.
Morris, Samuel L.,
Ft. Wayne.
Morris, Samuel L., Jr.,
Ft. Wayne.
Niezer, Charles M.,
Ft. Wayne.
Rose, James H.,
Ft. Wayne.
Townsend, H. L.,
Ft. Wayne.
Vesey, Allen J.,
Ft. Wayne.
Vesey, David S.,
Ft. Wayne.

Vesey, William J.,
Ft. Wayne.
Warrington, Carina C.,
Ft. Wayne.
Wood, Sol A.,
Ft. Wayne.
Zollars, Fred E.,
Ft. Wayne.

DeKALB COUNTY.

Atkinson, Edgar W.,
Auburn.
Hoffman, P. V.,
Auburn.
Van Auken, Glenn,
Auburn.

WHITLEY COUNTY.

Kichler, George W.,
Churubusco.
Lincoln, Chester A.,
Columbia City.
Strong, Ephraim K.,
Columbia City.
Total members Twelfth Dis-
trict—28.

THIRTEENTH DISTRICT.

Elkhart, Fulton, Kosciusko, Laporte, Marshall, St. Joseph,
Stark.

ELKHART COUNTY.

Baker, Francis E.,
Goshen.
Cawley, Verne G.,
Elkhart.
Dausman, Ethan A.,
Goshen.
Drake, James S.,
Goshen.
Harman, James L.,
Elkhart.
Hile, William B.,
Elkhart.
Proctor, Robert E.,
Elkhart.
State, James H.,
Elkhart.
Zigler, Edward B.,
Elkhart.

FULTON COUNTY.

Bernetha, Harry,
Rochester.
Holman, George W.,
Rochester.
Metzler, Arthur,
Rochester.

KOSCIUSKO COUNTY.

Bowser, Francis E.,
Warsaw.
Eschbach, Jesse E.,
Warsaw.
Frazer, William D.,
Warsaw.
Royse, Lemuel W.,
Warsaw.
Vandeveer, Richard,
Milford.

LaPORTE COUNTY.

Collins, Cornelius R.,
Michigan City.
Collins, Jeremiah B.,
Michigan City.
Gallaher, James F.,
Michigan City.
Hickey, Andrew J.,
Laporte.
Osborn, Frank E.,
Laporte.
Rowley, Noah E.,
Laporte.
Smith, Ralph N.,
Laporte.
Tuthill, Harry B.,
Michigan City.
Wolfe, Norman F.,
Laporte.

MARSHALL COUNTY.

Shakes, Rudolph V.,
Plymouth.
Stevens, Smith N.,
Plymouth.
Ungar, Harry L.,
Plymouth.
Wise, Adam E.,
Plymouth.

STARKE COUNTY.

Fletcher, James C.,
Knox.
Peters, Charles Hamilton,
Knox.

ST. JOSEPH COUNTY.

Anderson, Andrew,
South Bend.
Crabill, Will G.,
South Bend.
Crumpacker, Shepard J.,
South Bend.

Farabaugh, Gallitzen P.,
South Bend.
Gilmer, Frank,
South Bend.
Graham, Archibald G.,
South Bend.
Hammerschmidt, Louis M.,
South Bend.
Hibberd, John A.,
South Bend.
Hoban, Thomas M.,
South Bend.
Hubbell, Schuyler C.,
South Bend.
Jones, Vitus G.,
South Bend.
Kitch, John W.,
South Bend.
Kurtz, George A.,
South Bend.
MacKibbin, Stuart,
South Bend.
McInerny, William A.,
South Bend.
Montgomery, Chester R.,
South Bend.
Nemeth, Disidevius D.,
South Bend.
Parker, Samuel,
South Bend.
Peak, J. Elmer,
South Bend.
Romig, Iden S.,
South Bend.
Shively, Dudley M.,
South Bend.
Slick, Albert,
South Bend.
Van Fleet, Vernon W.,
South Bend.
Wair, Harry R.,
South Bend.
Total members Thirteenth Dis-
trict—56.

NON-RESIDENT MEMBERS.

Adams, Andrew A., Arbuckle
Bros.,

New York City.

Barrett, Charles E.,

Las Vegas, Nev.

Carson, W. Cary,

Lusk, Wyo.

Clancy, Michael J.,

Bluefields, Nic.

Ewing, Oscar R.,

New York City.

Gilbert, Newton W., 16 Wall St.,

New York City.

Gresham, Otto, 69 W. Wash. St.,

Chicago, Ill.

Hanan, John W.,

Ancon, Canal Zone, Panama.

Pettijohn, Charles C., 1600 Broad-
way,

New York.

Rheuby, Gould G., 382 DuPont
Bldg.,

Wilmington, Del.

Shea, Joseph H.,

Valparaiso, Chile.

Tingle, Walter J.,

Valparaiso, Chile.

Weaver, John, Corn Exchange
Bk. Bldg.,

Chicago, Ill.

Woersdorfer, Minnie, Room 302,
Dept. Justice, Cor. Vermont

Ave. and K. Sts.,

Washington, D. C.,

Total non-resident members—

14.

Total members—696.

LIFE MEMBERS.

Anderson, Andrew,
South Bend.

Bell, Milton,
Kokomo.

Carter, Vinson,
Indianapolis.

Clancy, Michael J.,
Bluefields, Nic.

Fowler, Inman H.,
Spencer.

Hogate, Enoch G.,
Bloomington.

McBride, Robert W.,
Indianapolis.

Shirley, William S.,
Martinsville.

Woollen, William Watson,
Indianapolis.

Affiliated Local Bar Associations

DECATUR COUNTY BAR ASSOCIATION.

Myron C. Jenkins.....President
 Rollin A. Turner.....Secretary

FLOYD COUNTY BAR ASSOCIATION.

Evan B. Stotsenburg.....President
 John N. Louis.....Secretary

GRANT COUNTY BAR ASSOCIATION.

Allen G. Messick.....President
 William C. Coryell.....Secretary

INDIANAPOLIS BAR ASSOCIATION.

Larz Whitcomb.....President
 Allen D. Vestal.....Secretary

ST. JOSEPH COUNTY BAR ASSOCIATION.

Eli F. Seebirt.....resident
 D. D. Nemeth.....Secretary

PERRE HAUTE BAR ASSOCIATION.

Henry Adamson.....President
 G. I. Kisner.....Secretary

County List

Showing page of this volume where list of members occurs, the Congressional District and Judicial Circuit and number of members.

	<i>Page</i>	<i>Cong. Dist.</i>	<i>Circuit</i>	<i>Number Members</i>
Adams -----	218	8	26	1
Allen -----	222	12	38	22
Bartholomew -----	211	4	9	9
Benton -----	220	10	21	2
Blackford -----	221	11	28	1
Boone -----	219	9	20	5
Brown -----	---	4	8	--
Carroll -----	219	9	39	7
Cass -----	221	11	29	3
Clark -----	211	3	4	11
Clay -----	212	5	13	1
Clinton -----	219	9	45	8
Crawford -----	---	3	3	--
Daviess -----	210	2	49	6
Dearborn -----	212	4	7	4
Decatur -----	212	4	69	10
DeKalb -----	223	12	35	3
Delaware -----	218	8	46	2
Dubois -----	211	3	57	5
Elkhart -----	223	13	34	9
Fayette -----	213	6	37	3
Floyd -----	211	3	52	6
Fountain -----	219	9	61	2
Franklin -----	213	6	37	2
Fulton -----	223	13	41	3
Gibson -----	209	1	66	11
Grant -----	222	11	48	17
Greene -----	210	2	63	2
Hamilton -----	219	9	24	3
Hancock -----	213	6	18	4
Harrison -----	---	3	3	--
Hendricks -----	212	5	55	5
Henry -----	214	6	53	4
Howard -----	219	9	62	9

	<i>Page</i>	<i>Cong. Dist.</i>	<i>Circuit</i>	<i>Number Members</i>
Huntington -----	222	11	56	10
Jackson -----	212	4	40	9
Jasper -----	220	10	30	1
Jay -----	218	8	58	3
Jefferson -----	212	4	5	1
Jennings -----	212	4	6	3
Johnson -----	212	4	8	4
Knox -----	210	2	12	3
Kosciusko -----	223	13	54	5
Lagrange -----	---	12	34	---
Lake -----	220	10	31	28
Laporte -----	224	13	32	9
Lawrence -----	211	3	40	1
Madison -----	218	8	50	4
Marion -----	214	7	19	219
Marshall -----	224	13	41	4
Martin -----	210	2	49	1
Miami -----	222	11	51	9
Monroe -----	210	2	10	4
Montgomery -----	220	9	22	7
Morgan -----	210	2	15	6
Newton -----	221	10	30	2
Noble -----	---	12	33	---
Ohio -----	---	4	7	---
Orange -----	---	3	42	---
Owen -----	210	2	10	2
Parke -----	213	5	68	1
Perry -----	---	3	70	---
Pike -----	209	1	57	1
Porter -----	221	10	67	1
Posey -----	209	1	11	6
Pulaski -----	222	11	44	2
Putnam -----	213	5	64	3
Randolph -----	219	8	25	2
Ripley -----	212	4	6	3
Rush -----	214	6	65	9
Scott -----	---	3	6	---
Shelby -----	214	6	16	1
Spencer -----	209	1	70	2
Starke -----	224	13	44	4
Steuben -----	---	12	35	---
St. Joseph -----	224	13	60	24

	<i>Page</i>	<i>Cong. Dist.</i>	<i>Circuit</i>	<i>Number Members</i>
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Switzerland -----	---	4	5	--
Tippecanoe -----	221	10	23	22
Tipton -----	220	9	36	3
Union -----	---	6	37	--
Vanderburg -----	209	1	1	13
Vermillion -----	213	5	47	2
Vigo -----	213	5	43	26
Wabash -----	---	11	27	2
Warren -----	221	10	21	3
Warrick -----	209	1	2	7
Washington -----	211	3	42	2
Wayne -----	214	6	17	9
Wells -----	219	8	28	2
White -----	221	10	39	7
Whitley -----	223	12	33	3
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